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Report of the Working Group on the Universal Periodic Review*

Norway

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April 7 to 9 May 2014. The review of Norway was held at the 1st meeting, on 28 April 2014. The delegation of Norway was headed by Børge Brende, Minister of Foreign Affairs. At its 10th meeting, held on 2 May 2014, the Working Group adopted the report on Norway.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Norway: Congo, Indonesia and United Kingdom of Great Britain and Northern Ireland.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Norway:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/NOR/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/19/NOR/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/NOR/3).

4. A list of questions prepared in advance by the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Portugal, Slovenia, Spain and the United Kingdom was transmitted to Norway through the troika. The questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that the UPR mechanism was an important pillar of the Human Rights Council. Human rights were well protected in Norway and Norway had a longstanding commitment to human rights at both the international and national levels. In preparing the national report, Norway had consulted civil society.

6. The Norwegian State was established on the territory of two peoples: the Norwegians and the Sami, who were recognized as an indigenous people. There were five national minorities in Norway: Kven, Jews, Forest Finns, Roma and Romani.

7. In order to strengthen and simplify the legal framework on discrimination, the Government was currently working on a new comprehensive equality and anti-discrimination act. The delegation reaffirmed that Norway was waging a continuous battle against forced marriage and female genital mutilation.

8. In response to questions from the Netherlands and Portugal, the delegation stated that the Government had decided to establish a new independent national human rights institution that complied with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

9. The delegation stated that combating domestic violence was a priority for the Government. Domestic violence was totally unacceptable and perpetrators must expect to be prosecuted and punished. Important measures for combating domestic violence were prevention and early identification, help and protection for victims, prosecution and treatment of perpetrators, and competence-building within the police and welfare services.

10. Regarding asylum seekers who were minors, the delegation stated that the Government attached great importance to ensuring a rapid asylum process with legal safeguards for those children, as well as good living conditions during the process.

B. Interactive dialogue and responses by the State under review

11. During the interactive dialogue, 89 delegations made statements. Recommendations made during the dialogue can be found in section II below.

12. Iraq noted that Norway had acceded to the Convention on the Rights of Persons with Disabilities (CRPD) and ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), and had made efforts to establish a national human rights institution that could make recommendations to improve the human rights situation.

13. Ireland noted the concerns expressed by the Committee against Torture and the Working Group on Arbitrary Detention about the lack of statistics on the use of solitary confinement. It also noted that, in 2012, the International Coordinating Committee of National Institutions had recommended that the Norwegian Centre for Human Rights be downgraded from A to B status.

14. Iran (Islamic Republic of) expressed concern about a number of human rights issues.

15. Israel drew attention to a survey on the Norwegian population's attitudes towards the Jewish community which revealed that anti-Semitism and anti-Jewish harassment persisted. It asked what specific measures would be adopted to strengthen and support efforts to combat anti-Semitism.

16. Italy noted that despite the efforts that had been made, statistics on cases of domestic violence had not improved since the first UPR cycle.

17. Japan noted the unequal status of immigrants in the labour market and the low employment rate for immigrant women, and encouraged Norway to take further steps to address such issues.

18. Jordan commended the Human Rights Commission for recommending the incorporation of a number of civil, political, economic, social and cultural rights in the Norwegian Constitution.

19. Kyrgyzstan noted the measures to combat violence against children that were included in the new action plan against domestic violence.

20. Libya highlighted the action being taken by Norway to protect the rights and well-being of children.

21. Malaysia enquired about the Government's plan of action on establishing a new national human rights institution and asked whether a timetable had been set to move the process forward. It encouraged the Government to implement the key national priorities set for its human rights agenda.

22. Maldives said that the new anti-discrimination legislation, particularly the act on accessibility for persons with disabilities, would help ensure equal opportunities in the

workplace. However, more efforts were needed to promote tolerance and respect for diversity.

23. Mexico recognized the legislative and institutional progress made since the first UPR cycle, such as the ratification of international instruments and the introduction of legislation against discrimination. It encouraged Norway to establish a national human rights institution in accordance with the Paris Principles as soon as possible.

24. The Republic of Moldova noted the progress made in implementing the recommendations of the first UPR cycle and the international and national efforts to combat human trafficking, but challenges remained regarding procedures and criteria for identifying victims of trafficking.

25. Montenegro recognized the steps the Government had taken to promote human rights and implement new mechanisms to address problem areas, in particular discrimination and domestic violence.

26. The Netherlands noted the external review of the Norwegian Centre for Human Rights, which was not in compliance with the Paris Principles, and highlighted concerns about the situation of detainees, specifically the length of police custody.

27. New Zealand encouraged Norway to move to full implementation of CRPD, particularly regarding the use of coercion in mental health care, and noted the Government's desire to reduce the use of coercion in that context.

28. Nicaragua noted the growing number of women victims of trafficking and the prevalence of violence against women in Norway. It encouraged Norway to continue its leadership role in the Human Rights Council and to promote dialogue and cooperation between countries.

29. The Niger noted the new legislation enacted to combat discrimination, especially on the grounds of ethnicity, religion and disability, and the measures adopted to promote the rights of indigenous peoples, minorities, refugees and asylum seekers.

30. Nigeria invited Norway to accede to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) and urged it to continue improving conditions for migrants, denounce racial discrimination in more practical terms and expedite the process of establishing a fully-fledged national human rights institution.

31. Pakistan was encouraged by efforts made by Norway to implement the recommendations from the first UPR cycle and steps taken over the previous four years to protect and promote human rights in the country.

32. Paraguay highlighted progress in terms of respect for human rights in Norway, but expressed concern that in 20 to 30 per cent of murders committed in the previous decade, the victim and perpetrator had been a couple.

33. The Philippines believed that Norway had much to share in terms of best practice on protecting and promoting human rights, but regretted that it had still not acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), despite its steadfast advocacy for equality and non-discrimination.

34. The Norwegian delegation, in response to questions concerning the situation of the Roma, said that improving their situation was a priority for the Government. Norway was supporting measures for the social inclusion of the Roma through 80 programmes in 10 European countries.

35. A grant scheme had been established to provide humanitarian assistance to foreign beggars. Migrant Roma had not been targets of serious hate crime.

36. In response to a question from Mexico, the delegation said that the consultations between the central Government and the Sami Parliament would to be undertaken in good faith with the objective of achieving agreement. The consultation mechanism ensured that decision makers were well acquainted with the views of the Sami Parliament.

37. In response to a question from Mexico on how indigenous people participate in decisions on the use of land and natural resources, the delegation referred to the Finnmark Act, which had established the Finnmark Estate, an independent entity that owned all the land in Finnmark county that had previously belonged to the State. The Sami Parliament appointed half of the Finnmark Estate board members.

38. In response to a question from Germany regarding indigenous peoples and mining activities, the delegation emphasized that the mineral industry played an important role in securing jobs and development in rural areas. Norwegian legislation included a number of provisions that safeguarded Sami interests in that context.

39. In response to a question from the Netherlands, the delegation emphasized that rape was a serious and totally unacceptable crime. In the Penal Code, rape was defined by listing factors that negate consent. The Government's ambition was to reduce the incidence of rape, assist victims in the best way possible and improve the way rape cases were handled in the criminal justice system.

40. In response to a question from the Netherlands about prolonged detention in police holding cells, the delegation stated that regulations required detainees to be transferred from police custody to a normal prison within 48 hours of their arrest, unless practical considerations made that impossible.

41. In response to questions from Ireland and the Netherlands on the use of solitary confinement in detention, the delegation said that major improvements had been made in that regard in recent years. The courts could approve isolation only if stringent conditions were satisfied and the time limits were strict. There had been a significant reduction in the use of solitary confinement, which was normally reserved for the most serious cases and lasted for short periods only. Concerning solitary confinement during the execution of sentences, the delegation described measures to ensure that solitary confinement was applied more selectively.

42. In response to questions and recommendations from Kyrgyzstan and Mexico on education for minors seeking asylum, the delegation indicated that all children in Norway had the same legal right and duty to attend primary and lower secondary school, regardless of background.

43. In response to a question from the United Kingdom concerning the standard of emergency shelters and social housing, especially for families with children, the delegation stated that Norwegian municipalities were obliged to find temporary accommodation for persons who were unable to find accommodation by themselves. The accommodation had to be of a sufficient standard to meet the needs of the persons concerned.

44. Responding to a question from Mexico on the export of arms or munitions, the delegation said that Norway had a strict, long-standing arms export policy. It did not permit the sale of arms or munitions to areas in which there was a war, civil war or threat of war.

45. Responding to a question from Spain, the delegation answered that the Guiding Principles on Business and Human Rights were a cornerstone of the Government's approach to human rights and business.

46. Responding to a question from Israel about combating anti-Semitism, Norway emphasized that knowledge was a key factor and described measures aimed at preventing anti-Semitism in schools.

47. Responding to questions from, inter alia, Malaysia, Paraguay, Rwanda, Saudi Arabia and Timor-Leste about the gender pay gap, the delegation stated that it had decreased over time, but that on average, women continued to earn 12.7 per cent less than men per hour, primarily owing to the gender divide in the labour market. The Government hoped to further reduce the gender pay gap.

48. In response to recommendations from Italy and New Zealand, the delegation emphasized that the Government would pursue efforts to reduce the use of coercion in the mental health services. The use of coercion was strictly regulated by law and could be used as a last resort only, in order to care for patients with serious mental illness.

49. Responding to recommendations that Norway should accede to ICRMW, the delegation said that Norway had ratified all the International Labour Organization core conventions on workers' rights, which also applied to residents who were foreign nationals. Norway had, however, decided not to accede to ICRMW.

50. The delegation noted that some States had recommended that Norway should accede to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, OP-ICESCR and the Optional Protocol to CRPD. The Government was thoroughly investigating the legal implications before making a decision. Two legal studies had been commissioned and circulated for general review and those questions were still under consideration.

51. Norway was currently considering the question of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPED).

52. In response to questions from Mexico and others concerning hate crime, the delegation underlined the seriousness of such offences and reiterated that hatred towards specific groups was considered an aggravating circumstance by the courts. The Penal Code had been amended in 2013 to extend criminal liability for certain kinds of statements made in public to statements made on the Internet.

53. Poland noted efforts made by Norway to comply with the recommendations of the first review, but acknowledged that, despite many positive developments in the field of human rights, certain challenges remained.

54. Portugal observed that the dropout rate in upper secondary schools in Norway was higher among immigrant students. It requested further information about the Government's ongoing process to re-establish its national human rights institution.

55. The Russian Federation drew attention to problems relating to freedom of belief. It also noted that, when children were removed from parental care and placed with new families, insufficient attention was paid in some cases to their cultural, linguistic and religious identity. Moreover, foster children had reportedly been subjected to violence.

56. Rwanda noted efforts made by Norway to fulfil its human rights commitments since its last UPR, including improving gender equality and accessibility for persons with disabilities and combating forced marriage, female genital mutilation and domestic violence. It also commended Norway for its handling of the cases of genocide suspects through prosecution and extradition.

57. Saudi Arabia expressed concern about persistent cases of domestic violence, rape and hate crime targeted at certain ethnic groups and minorities, particularly Muslims. It urged the Government to take vigorous action against hate crimes and to promote the equality of all citizens.

58. Serbia acknowledged positive developments in strengthening human rights in the country. It suggested that Norway step up its efforts to address discrimination of vulnerable groups in the context of its national integration policy.

59. Sierra Leone commended Norway for its generous assistance to development overseas. It stressed the importance of developing strategies to promote tolerance and diversity and strengthening measures to ensure greater equality for women and minorities. It was concerned about reports of hate speech and hate crime against minority groups, asylum seekers and immigrants.

60. Slovenia recognized Norway as a role model in terms of safeguarding democracy, ensuring the rule of law and focusing efforts on addressing key human rights challenges currently facing States globally in a turbulent world.

61. South Africa expressed appreciation for the continued and consistent contribution of Norway to development projects in Africa. It noted efforts made by Norway since its last review and encouraged it to continue its efforts to promote, protect and fulfil human rights in the country.

62. Spain noted that the Government of Norway had decided to establish a new independent international human rights institution and that measures were being taken to tackle the problem of gender-based violence.

63. Cuba expressed concern about persistent discrimination against Romani, indigenous and immigrant communities, incitement to hatred, and xenophobic, anti-Semitic and Islamophobic statements.

64. The State of Palestine noted that Norway had taken measures to ascertain the nature, extent and causes of discrimination in various areas of society.

65. The Sudan enquired about the main achievements and lessons learned through the implementation of the Action Plan to Promote Equality and Prevent Ethnic Discrimination.

66. Switzerland expressed concern regarding the duration of police custody and of solitary confinement in both police custody and pretrial detention. It was also concerned about allegations of arbitrary deprivation of liberty and arbitrary constraint measures in mental health-care centres.

67. Thailand noted with interest the establishment of Children's Houses providing assistance to child victims of exploitation and abuse.

68. The former Yugoslav Republic of Macedonia referred to treaty body concerns regarding gender inequality and inadequate representation of women with minority backgrounds in prominent societal roles. It enquired about the results of the work undertaken by KOMpakt, the Government's consultative body, and requested details of the 2013 white paper concerning domestic violence.

69. Timor-Leste noted that there were areas, such as gender equality, equal remuneration for men and women, and the right to education of indigenous peoples, in which further improvements were required.

70. Togo expressed concern about discrimination against the immigrant population, especially in the labour market, housing, education and health care.

71. Tunisia encouraged Norway to ratify CPED and to expedite the establishment of a national human rights institution that complied with the Paris Principles.

72. Turkey noted the increase in Islamophobic, anti-Semitic and racially motivated hate crimes.

73. Turkmenistan expressed concern about reports of an increase in xenophobic attitudes to immigrants. It noted with regret that trafficking in persons, particularly girls, remained a problem and noted with concern reports that the number of victims was steadily increasing.

74. Ukraine noted the establishment of an interministerial coordination group to strengthen the implementation of recommendations accepted by Norway and improve its reporting to the human rights treaty bodies.

75. The United Kingdom urged Norway to intensify its efforts to ensure that emergency shelters and social housing units met an adequate standard, especially for families with children, and to strengthen strategies to prevent discrimination against migrant Roma and provide for their basic needs.

76. The United States of America was concerned that preventive measures had not reduced the incidence of domestic violence and rape, and concerned at the high level of acquittals, lenient sentences and the legal definition of rape, which required the use or threat of force. It was also concerned at the treatment of asylum seekers and stateless persons, especially minors.

77. Uruguay encouraged Norway to complete the process of ratification of OP-ICESCR and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

78. Uzbekistan noted concerns about discrimination against immigrants, particularly in the labour market, education, health care and housing, and expressions of racial hatred and intolerance, especially against the Sami people, as well as high rates of violence against women and of human trafficking.

79. Venezuela (Bolivarian Republic of) expressed concern about the persistence of crimes motivated by prejudice and incitement to hatred against specific minority groups, such as the Roma.

80. Viet Nam noted that the strengthened legal framework in Norway better ensured gender equality and improved living standards for indigenous peoples and minorities. Norway participated in education, training and international cooperation in the field of human rights and was committed to the protection of vulnerable groups.

81. Albania said that Norwegian citizens benefited from the highest standards of democracy and freedom. Norway had developed human rights standards in respect of gender equality, the rights of persons with disabilities and those of minorities.

82. In response to questions from Liechtenstein and Spain and recommendations from the United States on asylum and immigration, the Norwegian delegation stated that the Government would continue to fulfil its international obligations in the areas of migration and asylum policies.

83. The Government maintained that the asylum system was a key tool in providing protection to those who were genuinely in need, and that it must not be abused. Asylum status was granted on the basis of individual processing and a thorough assessment of each application.

84. Responding to issues raised by the Islamic Republic of Iran, the Republic of Moldova and Nicaragua concerning trafficking in human beings, the delegation described, inter alia, the 2010 action plan on measures to fight all forms of human trafficking, steps to provide safe housing and appropriate follow-up of victims and provisions in the Immigration Act strengthening the protection of victims. The question of establishing a national referral mechanism to better identify and assist victims of trafficking was being assessed.

85. Responding to questions from India, the Russian Federation and Turkey, the delegation said that the purpose of the Child Welfare Act was to protect children. A care order was relevant only if the child's situation was serious and could not be alleviated through the application of voluntary assistance measures. The underlying principle of the

Act was that a child should grow up with its biological parents. A care order could be issued only if a child's care was seriously deficient or the child was a victim of abuse.

86. Responding to questions about ethnic discrimination from, inter alia, the Islamic Republic of Iran, Mexico, Nigeria, Poland and the Sudan, Norway referred to the Action Plan to Promote Equality and Prevent Ethnic Discrimination.

87. Algeria encouraged Norway to expedite the process of establishing a new national human rights institution and to ratify ICRMW.

88. Angola, while noting the progress Norway had made on human rights, not least on gender equality issues, drew attention to the continuing problem of the integration of migrants, since that group suffered the highest levels of unemployment.

89. Argentina noted that Norway had indicated that it would prioritize ratification of ICPED. Argentina shared its concern about and commitment to the elimination of discrimination.

90. Armenia appreciated the help Norway had provided to the survivors of the Armenian genocide, its integration policy for migrants and minorities and its commitment to the elimination of hate speech and hate crime.

91. Australia observed that the UPR report highlighted the consistent promotion by Norway of human rights and democratic principles. Norway had introduced four new anti-discrimination acts in January 2014, covering sexual orientation, gender equality, ethnicity and persons with disabilities.

92. Austria recognized the high standards that Norway had achieved in the promotion and protection of human rights, its contributions to the system of international human rights protection and its commitment to the advancement of human rights globally.

93. Azerbaijan highlighted concerns about discrimination against migrants, persons from immigrant backgrounds, asylum seekers and refugees in accessing public services, health services and employment, and allegations of ill-treatment of, and hate speech directed at, minorities and other vulnerable groups.

94. Bahrain expressed concern about reports of discrimination against minorities and indigenous peoples, especially women and children. It was also concerned about persistent hate speech and incitement to xenophobia and to religious hatred.

95. Bangladesh observed that Norway had not yet ratified ICRMW and that there remained scope for further attention to preventing discrimination against immigrants.

96. Belarus expressed concern about migrant integration and employment issues and the problems encountered by Roma, especially in the education system. It was also concerned about reports of incitement to hatred and other forms of intolerance, including by political parties.

97. Benin noted that Norway had ratified a number of international conventions on human rights, including CRPD and OP-CAT, in response to the recommendations received in 2009.

98. Botswana noted efforts made to address discrimination against migrants and asylum seekers, but encouraged Norway to do more to prevent violence. It also noted that challenges remained in gender mainstreaming and in combating substance abuse by children and young people.

99. Brazil referred to policies introduced to encourage gender equality, religious tolerance and access to social security by foreign residents. It indicated that immediate

attention should be given to the best interests of the child, specifically in all immigration matters, and to the situation of migrants.

100. Canada asked what progress Norway had achieved since 2009 in generating data on manifestations of racial discrimination and the situation of minority groups in order to identify patterns of direct and indirect discrimination.

101. Chile noted that human rights had been strengthened through recent amendments to the Norwegian Constitution and that the country had the capacity to renew its efforts to tackle domestic violence, promote equality of opportunity and combat all forms of discrimination.

102. China noted the progress made in protecting children's rights and in combating domestic violence and human trafficking. However, violence against women continued, Roma and migrants suffered discrimination and the Sami language and culture could not be guaranteed.

103. The Republic of the Congo noted that more action was required to combat discrimination against women, minorities, indigenous peoples and persons of foreign origin. The fact that minors were detained together with adults was a cause for concern.

104. Costa Rica noted that Norway had ratified several international human rights instruments, introduced measures to combat discrimination against minorities and made commitments to improve the situation of asylum seekers and refugees.

105. Côte d'Ivoire noted the institutional and legislative reforms undertaken by Norway in respect of human rights, including gender equality and the rights of persons with disabilities, national minorities, migrants and asylum seekers.

106. Sri Lanka noted the progress made in the area of children's rights but stated that gender equality remained a challenge; higher education programmes were gender-divided and women earned lower wages than men. It acknowledged that targeted measures were being taken to tackle the high unemployment rate among immigrants.

107. The Czech Republic noted the efforts being taken in Norway to improve access to education for Roma. Reducing absenteeism required addressing the underlying social causes and the full cooperation of all stakeholders, including parents.

108. Denmark indicated that continuous monitoring and reporting of the human rights situation in Norway would be essential to track results of efforts made. It welcomed work on the draft Nordic Sami Convention, which would advance the rights of the Sami across country borders.

109. Ecuador was concerned at the situation of ethnic minorities, particularly the Roma, and at the high number of complaints by migrants of ill-treatment at the hands of the police and other representatives of the State.

110. Egypt urged Norway to address concerns regarding the treatment of migrants and to investigate allegations of racial profiling by law enforcement officers, refoulement of asylum seekers and disappearances of unaccompanied minors from asylum centres.

111. Estonia said that Norway had taken positive steps in ratifying international human rights instruments and in protecting the rights of indigenous peoples and minorities, including lesbian, gay, bisexual, transgender and intersex persons (LGBTI).

112. Finland asked what targeted measures were being taken to ensure that more immigrant women could find work. Noting the disappearance of children from reception centres, it asked how Norway was working to protect children who sought asylum from becoming victims of trafficking.

113. France asked how Norway would make combating violence against women and children a priority and how it would ensure that sick children had equal access to health care in different parts of the country.

114. Gabon recognized the commitment of Norway to human rights and its ratification of human rights instruments. Norway combated inequalities in society and in particular was tackling the gender pay gap. Gabon asked about the results that had been achieved through the equality and anti-discrimination action plan.

115. Germany appreciated the efforts Norway had made in response to recommendations made in the previous cycle and recognized its very good national and international human rights record.

116. Ghana noted the commitment of Norway to upholding human rights, but expressed concern that certain minorities were the target of hate crime and racism. Efforts should be intensified to address the gender pay gap.

117. Greece expressed concern at the persistence of hate speech, as noted by the Human Rights Committee, and asked what action was being taken to fight it. Greece also expressed concern that the national human rights institution had been downgraded.

118. Guatemala noted the progress made in human rights in Norway but shared concerns at reports that over half of the immigrant population suffered discrimination in accessing employment, housing, education and health care.

119. Honduras acknowledged the efforts Norway had made to improve employment opportunities for immigrants by providing language training. It further noted the country's efforts to combat violence and rape.

120. Hungary considered the amendment to the Constitution to be a positive step, but sought clarification of the reference to the Church of Norway as the national church. Unaccompanied asylum-seeking children between the ages of 15 and 18 years suffered discrimination.

121. Iceland noted the commitment of Norway to achieving gender equality, combating domestic violence, and violence and sexual abuse against children and young people. It asked whether Norway intended to strengthen its assistance to victims of trafficking.

122. India noted the discrimination experienced by immigrants and asylum seekers in gaining access to public services and employment. A high incidence of rape had been reported, with half of victims being below the age of 18. Violence and hate speech persisted.

123. Indonesia noted the firm commitment of Norway to human rights. It requested that Norway ensure the protection of all minors in conflict with the law, taking into account the principle of the best interests of the child.

124. Romania highlighted developments in human rights in Norway since the previous UPR and a comprehensive mid-term report. It sought more information on human rights education in the country.

125. In response to a comment from Denmark, the Norwegian delegation said that Norway, Sweden and Finland had commenced negotiations on a Nordic Sami Convention in 2011. The aim was to complete the negotiations in 2016.

126. Responding to other questions, the delegation provided information about the action plan on domestic violence, the right of victims of domestic violence to free legal aid, the duty of local authorities to provide victims of domestic violence with shelter and coordinated assistance, and recent amendments to the Penal Code to increase the punishment for abuse in close relationships.

127. In response to questions from Libya and Thailand on investigations into offences against children, the delegation provided information about the judicial examination of children, which was carried out in special Children's Houses by specially trained police officers, and about measures aimed at reducing the waiting time before such examinations took place.

128. In response to a question from Brazil about immigration cases, the delegation underlined the importance of the best interest of the child, which was always a primary consideration. Regarding a question from Austria, the delegation described challenges and dilemmas concerning unaccompanied minor asylum seekers.

129. Responding to questions from Angola and Armenia about the integration of immigrants, Norway said that participation in working life and good Norwegian language skills were keys to integration in Norwegian society. The Government would improve its provision of language training and ensure that the Introduction Programme was better adapted to each individual.

130. In conclusion, Norway noted with appreciation the participation of all delegations in the review.

II. Conclusions and/or recommendations**

131. **The following recommendations will be examined by Norway, which will respond to them in due course, but no later than the twenty-seventh session of the Human Rights Council, in September 2014:**

131.1 **Ratify those conventions to which it is not yet a party, and accelerate the incorporation in its domestic legal order of the provisions of those conventions to which it is already a party to (Niger);**

131.2 **Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Italy);**

131.3 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance in a timely fashion (Japan);**

131.4 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);**

131.5 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);**

131.6 **Sign and subsequently ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

131.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka);**

131.8 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Azerbaijan);**

131.9 **Withdraw its Declaration from Articles 12 and 14 of the Convention on the Rights of Persons with Disabilities (CRPD) (Pakistan);**

** The conclusions and recommendations have not been edited.

131.10 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Spain);**

131.11 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, as a key way of strengthening the functions of the Committee and improving the protection and credibility of these rights (Spain);**

131.12 **Ratify the Optional Protocol to the ICESCR, as recommended previously (Portugal);**

131.13 **Sign and ratify the Optional Protocol to the CRC on a communications procedure (Portugal);**

131.14 **Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Portugal);**

131.15 **Seriously consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the optional protocols to the ICESCR and CRC (Sierra Leone);**

131.16 **Consider lifting its reservations in respect of article 10, paragraphs 2 (b) and 3 of the ICCPR, in line with South Africa's previous recommendation (South Africa);**

131.17 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, as well as recognize the competence of its Committee (Uruguay);**

131.18 **Continue considering the ratification of the Optional Protocol to CRC on a communications procedure (Albania);**

131.19 **Continue efforts aimed at the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

131.20 **Accelerate the process of ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Congo);**

131.21 **Review its reservations to certain articles of the ICCPR and ICESCR with a view to withdrawing them (Austria);**

131.22 **Ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, signed by Norway on 25 October 2007 (France);**

131.23 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Germany);**

131.24 **Consider becoming party to the Optional Protocol to the Convention on the Rights of the Child and that relating to persons with disabilities, both of which relate to individual grievance procedures (Ghana);**

131.25 **Embody the principles of equality of women and men in the Constitution and other appropriate legislation (Jordan);**

131.26 **Amend the Anti-Discrimination Act to ensure that all grounds of discrimination are subject to prohibition (Jordan);**

131.27 **Amend the law on the fight against discrimination so that all grounds for discrimination are subject to prohibition (Tunisia);**

131.28 **Ensure protection against all forms of discrimination by incorporating in its laws, the principle of equality in accordance with CEDAW, ICERD and CRPD (Pakistan);**

131.29 **Strengthen the domestic legislation in accordance with international law to prevent and address violence against women and girls (Maldives);**

131.30 **Enact specific legislation to put in place comprehensive measures to prevent and address violence against women and girls, and provide adequate assistance and protection to the victims (Poland);**

131.31 **Enact specific comprehensive legislation on domestic violence and put in place general measures to prevent violence against women and girls, including marital rape and ensure that perpetrators be prosecuted and punished in accordance with the severity of the crimes committed (Honduras);**

131.32 **Strengthen domestic legislation on the prevention of torture in accordance with CAT (Maldives);**

131.33 **Review the legislation to ensure full freedom of belief, conscience and religion (Russian Federation);**

131.34 **Amend legislation in the area of adoption of children in order to better ensure the protection of the rights of children (Russian Federation);**

131.35 **Strengthen the legal definition of rape by grounding it in lack of consent, rather than the use or threat of force, to ensure that the law provides better protection for survivors (United States of America);**

131.36 **Continue to take steps to ensure the rights of LGBT persons, women, ethnic minorities, and persons with disabilities are protected, including through implementation of the four new anti-discrimination acts that entered into force in January 2014 (Australia);**

131.37 **Bring national legislation on elections in line with international standards and commitments by allowing citizens to timely appeal to courts in matters relating to the exercise of the right to choose their local government and national Parliament (Belarus);**

131.38 **Incorporate, in accordance with the Committee's recommendation, the Convention against Torture into the domestic law (Egypt);**

131.39 **Amend the criminal code to address hate speech and incitement to violence and discrimination in the context of the media and election campaigning (Egypt);**

131.40 **Ratify the Kampala Amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Estonia);**

131.41 **Enact laws to criminalize contemplation of prophets and religions through all kinds of media (visual, audio and printed), and enact laws to determine the penalty for rape in law and follow-up application (Saudi Arabia);**

131.42 **Enact laws to ensure gender equality in wages and to reduce domestic violence and follow-up application (Saudi Arabia);**

131.43 **Speed up the establishment of a National Institution for Human Rights as a new independent concerned party involved in monitoring and promoting human rights in accordance with the Paris Principles, enact laws against any kind of discrimination against indigenous peoples, Roma minorities and foreigners, which most notably in the areas of education, health and employment (Saudi Arabia);**

131.44 **Put in place a national human rights institution which is in full compliance with the Paris Principles (Ireland);**

131.45 **Establish a national human rights institution in accordance with the Paris Principles (Sierra Leone);**

131.46 **Establish a new NHRI, in accordance with the Paris Principles (Hungary);**

131.47 **Create a National Human Rights Institution in accordance with the Paris Principles (Venezuela (Bolivarian Republic of));**

131.48 **Establish a National Human Rights Institution in conformity with the Paris Principles (Egypt);**

131.49 **Expedite steps being taken to establish an independent National Human Rights Institution (Ghana);**

131.50 **Establish an independent institution in compliance with the United Nations Paris Principles (South Africa);**

131.51 **Put in place a new fully independent national human rights institution in line with the Paris Principles (Canada);**

131.52 **Re-establish a fully independent National Human Rights Institution in accordance with the Paris Principles (Denmark);**

131.53 **Pursue efforts to re-establish the A status of the Norwegian Centre for Human Rights, guaranteeing its full independence (Chile);**

131.54 **Move quickly to establish its new National Human Rights Institution in full compliance with the Paris Principles (Australia);**

131.55 **Take all the measures necessary at the national level for the National Human Rights Institution to comply fully with the Paris Principles and be provided with the necessary financial and human resources to fully carry out its functions (Uruguay);**

131.56 **Consider the possibility of speeding up the process of establishing a new National Human Rights Institution in full compliance with the Paris Principles (Ukraine);**

131.57 **Speed up its efforts to establish a NHRI in accordance with the Paris Principles and provide sufficient resources for it to be effective (Malaysia);**

131.58 **Establish the new National Human Rights Institution in such a way that it can operate effectively and independently, in full compliance with the Paris Principles (Netherlands);**

131.59 **Re-establish the NHRI as a vital, clearly independent institution with a strong mandate and sufficient capacity and resources to strengthen implementation of human rights in the country (Greece);**

131.60 **That the new National Human Rights Institution be independent, and be given a strong mandate, capacity and resources for the effective realization at the national level of human rights (Spain);**

131.61 **Complete the process of putting in place the New National Human Rights Institution on the basis of the Paris Principles (Niger);**

131.62 **Accelerate the establishment of the new national human rights institution with a mandate in accordance with the Paris Principles as a matter of priority (Thailand);**

131.63 **Establish a national human rights institution with "A" status in full conformity with the Paris Principles (Guatemala);**

131.64 **Continue its efforts to consider the creation of a new national human rights institution guided by the Paris Principles (Indonesia);**

131.65 **Continue its efforts to ensure that the Equality and Anti-Discrimination Ombudsperson's office has adequate resources to promote its work (Montenegro);**

131.66 **Provide additional resources to the office of the Equality and Anti-Discrimination Ombudsperson in order to combat discrimination and hate crime against migrant Roma (United Kingdom of Great Britain and Northern Ireland);**

131.67 **Give the full necessary consideration, in its international cooperation activities in the field of Human Rights with other countries, to aligning its efforts and contributions with the priorities, policies, and national plans of the concerned countries in a spirit of genuine dialogue (Sudan);**

131.68 **Develop a national action plan for human rights education that consists of a thorough needs assessment and programmes for human rights education at all levels (Turkmenistan);**

131.69 **Adopt a new action plan, to promote equality and prevent ethnic discrimination, as well as prevent and combat discrimination against persons from immigrant backgrounds (Honduras);**

131.70 **Do more to address gender mainstreaming in line with the equality policy (Botswana);**

131.71 **Provide, in accordance with its obligations under International Human Rights Law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);**

131.72 **Continue efforts aimed at countering gender stereotypes and discriminative attitudes, as well as at further promotion of gender equality (Ukraine);**

131.73 **Take effective actions to curb over-sexualization of women in media (Bangladesh);**

131.74 **Continue to promote gender equality in the country and share its experience with other nations (Cuba);**

131.75 **Ensure the respect of gender equality both in offices and in schools (Timor-Leste);**

131.76 **Intensify efforts to prevent discrimination against ethnic groups and combat discrimination against persons from immigrants backgrounds (Greece);**

131.77 **Adopt the measures necessary to combat all forms of discrimination against migrants (Guatemala);**

131.78 **Develop a strategy to effectively combat the public expression of racial intolerance (Russian Federation);**

131.79 **Take efficient measures to combat any manifestation of discrimination, racism, xenophobia and intolerance in society, including by adopting and implementing a comprehensive national plan of action (Uzbekistan);**

131.80 **Adopt more substantive measures against racism and xenophobia and establish corresponding mechanisms for monitoring and ensuring accountability (China);**

131.81 **Continue the efforts to combat all forms of discrimination, in particular Islamophobia (Algeria);**

131.82 **Combat more effectively and decisively prejudices such as racism, racial discrimination, xenophobia and other related forms of intolerance (Venezuela (Bolivarian Republic of));**

131.83 **Continue its efforts in the prevention and fight against racism, racial discrimination, xenophobia and related intolerance (Turkmenistan);**

131.84 **Continue and intensify its efforts to prevent and eliminate all forms of de facto discrimination against ethnic groups and persons of immigrant backgrounds (Canada);**

131.85 **Take stronger measures to combat discrimination and other forms of intolerance, including by promoting tolerance and diversity, as well as prosecuting those responsible for such acts (Cuba);**

131.86 **Take further measures to combat racist manifestations, in particular against Roma people (Turkey);**

131.87 **Continue on its constructive path to promoting equality and non-discrimination (State of Palestine);**

131.88 **Establish and implement strategies to combat effectively discrimination against ethnic minorities, indigenous people and migrants (Viet Nam);**

131.89 **Adopt vigorous legal and practical measures to stop and combat all forms of discrimination against persons from immigrant background, especially Muslims (Iran (Islamic Republic of));**

131.90 **Adopt concrete measures to prevent and combat all forms of discrimination against persons with an immigrant background (Rwanda);**

131.91 **Continue and strengthen efforts in preventing and combating all forms of discrimination faced by persons with a migratory background, in particular in the labour market, the housing sector, and in education and healthcare (Austria);**

131.92 **Continue to take concrete measures in order to eliminate discrimination in labour market faced by persons with immigrant background (Finland);**

131.93 **Adopt legislative and administrative measures to prevent any form of discrimination against minority ethnic groups in education, health, employment, housing and other areas (China);**

131.94 **Continue with measures undertaken to reduce discrimination against migrants and ethnic minorities (Argentina);**

131.95 **Intensify efforts to prevent discrimination against ethnic groups and promote equality, as well as prevent and combat discrimination against persons from immigrant backgrounds (Poland);**

131.96 **Take effective measures to improve the situation of the Roma and Romani/Taters minorities and ensure that all forms of discrimination against them in the provision of services are firmly opposed and appropriately sanctioned (Iran (Islamic Republic of));**

131.97 **Address concerns regarding discrimination against minorities, including Roma people and develop a comprehensive strategy to combat hate speech, including measures to effectively investigate and prosecute such offences (Pakistan);**

131.98 **Take concrete measures to promote tolerance and diversity in society and train law enforcement officials in detection and prosecution of hate speech both online and offline (India);**

131.99 **Take immediate measures to address discrimination against migrants, persons from immigrant backgrounds, asylum seekers and refugees in accessing public services, housing, the labour market and health, as was concerned by the Committee on the Elimination of Racial Discrimination, and intensify efforts, including through the adoption of a new action plan, to prevent and combat all forms of discrimination and to promote equality (Azerbaijan);**

131.100 **Take effective measures to curb discrimination and negative attitudes against migrants in Norway (Bangladesh);**

131.101 **Develop a comprehensive strategy to prevent, prohibit and combat hate speech, as a matter of priority, including measures to effectively investigate and prosecute related offences (Iran (Islamic Republic of));**

131.102 **Raise awareness and promote tolerance and diversity in society, and train law enforcement officials in the detection and prosecution of hate speech (Israel);**

131.103 **Intensify the efforts to promote tolerance and diversity in the community and train law enforcement personnel to detect and prosecute perpetrators of hate speech (Bahrain);**

131.104 **Intensify efforts in the fight against hate speech and train law enforcement officials in this respect (Greece);**

131.105 **Take more effective measures to combat, or even eradicate hate crimes and speeches against minority groups in Norway, putting the accent on prevention of and follow-up to these acts (Côte d'Ivoire);**

131.106 **Raise awareness and promote tolerance and diversity in society and to ensure that violent acts, discrimination and hate speech are systematically investigated and the alleged perpetrators prosecuted (Azerbaijan);**

131.107 **Develop effective measures to combat incitement to hatred, in particular measures to effectively investigate and prosecute such manifestation of intolerance (Belarus);**

131.108 **Continue its efforts combating hate crime and glorification of criminals (Armenia);**

131.109 **Improve the collection of data on hate crimes and incidents, work to find the reasons behind the unreported cases, encourage victims to report and if necessary take measures to protect them (Turkey);**

131.110 **Further support existing initiatives aimed at collecting and generating disaggregated data on racism and discrimination (Brazil);**

131.111 **Take measures to put an end to discrimination against migrants or people from migrant backgrounds as well as asylum seekers and refugees, especially with regard to access to public services, housing, employment and health services (Tunisia);**

131.112 **Take appropriate measures to address discrimination against immigrants and asylum seekers in accessing to public services, housing, health and employment, in accordance with a concern expressed by the Committee on the Elimination of Racial Discrimination (India);**

131.113 **Intensify efforts to combat hate-crime, and domestic violence (Sudan);**

131.114 **Combat discrimination against children from minority groups, and children with disabilities (Jordan);**

131.115 **Combat discrimination against children belonging to minorities, indigenous people, and children with disabilities (Bahrain);**

131.116 **Ensure equal rights and opportunities for children of immigrants, Roma and indigenous people, investigate allegations of bullying ethnic minority children in schools and take effective measures to protect them against prejudice, violence and stigmatization (Uzbekistan);**

131.117 **Step up its efforts to combat racial profiling in all sectors, both public and private (Togo);**

131.118 **Further its efforts to address ethnic and racial profiling, particularly in stop and search operations carried out by police and customs and immigration officials (Malaysia);**

131.119 **Continue working to create a national preventive mechanism against torture (Guatemala);**

131.120 **Strengthen its efforts to provide assistance to victims of trafficking, such as access to education, vocational training and the labour market (Iran (Islamic Republic of));**

131.121 **Continue to combat trafficking in human beings and cooperate in the international framework in this respect (Romania);**

131.122 **Adopt a formalized national referral mechanism defining the roles and procedures of all institutions in the identification of victims of trafficking in human beings (Republic of Moldova);**

131.123 **Step up efforts to provide assistance to victims of trafficking and bring provisions of the Criminal Code, related to human trafficking, in conformity with the Council of Europe Convention on Action against Trafficking in Human Beings and recommendations of the Group of Experts on Action against Trafficking in Human Beings (Belarus);**

131.124 **Strengthen its efforts to prevent trafficking of minors by allocating sufficient resources to the immigration authorities to investigate every case of missing minors (Turkmenistan);**

131.125 **Take into account recommendations made by the Committee on the Elimination of Discrimination against Women when it raised the increase in the number of women victims of trafficking, as well the prevalence of acts of violence against women (Nicaragua);**

131.126 **Enhance engagement in the region with regional and inter-regional partners to help build capacities in countering trafficking in persons, especially women and children (Philippines);**

131.127 **Investigate and punish ill-treatment, harassment and incitement to violence and hatred, to which minorities and other vulnerable groups are subjected (Mexico);**

131.128 **Continue to implement appropriate policies and programmes to combat violence and abuse against children, and ensure recovery and social integration for victims (State of Palestine);**

131.129 **Intensify measures aiming at realization of the rights of the child and prevention of violence against children (Algeria);**

131.130 **Strengthen efforts to combat and prevent domestic violence, including various forms of violence and sexual abuse against children (Azerbaijan);**

131.131 **Continue to promote a greater focus on combatting gender-based violence (Montenegro);**

131.132 **That the fight against domestic violence continues to be a priority for the Government (Paraguay);**

131.133 **Adopt more efficient measures to prevent domestic violence and all other forms of violence against and abuse of women and children (Viet Nam);**

131.134 **Strengthen efforts within the context of the fight against domestic violence, rapes, violence and sexual abuse of children, as Norway has already committed itself to do (Niger);**

131.135 **Take effective measures to deal with violence against women and girls (India);**

131.136 **Strengthen measures to investigate and prosecute cases of domestic violence and provide assistance to women and child victims of violence, in particular social rehabilitation (Sri Lanka);**

131.137 **Intensify efforts in implementing its national preventive strategy against gender-based violence (Philippines);**

131.138 **Continue to strengthen measures adopted to combat the scourge of gender-based violence, improving their effectiveness and increasing the protection of victims (Spain);**

131.139 **Improve detention conditions in the correctional institutions and temporary detention centers of asylum seekers (Russian Federation);**

131.140 **Ensure the compilation of detailed statistics on the use of solitary confinement (Ireland);**

131.141 **Adopt prompt measures aimed at ensuring an adequate assessment of the need for solitary confinement in each case of police detention, as well as ensuring a stricter implementation of the 48 hours statutory limit to the use of such a short term public order measure (Italy);**

131.142 **Provide for the necessary conditions to be able to limit detention in police cells to the 48-hour term as required by Norwegian law (Netherlands);**

131.143 **Reduce the duration of police custody and pre-trial detention, particularly in cases of solitary confinement (Switzerland);**

131.144 **Reduce the use of preventive detention and isolation of the detainees (France);**

131.145 **Review the system of preventative detention with regard to juveniles and adopt alternative measures in conformity with recommendations of United Nations treaty bodies (Uzbekistan);**

131.146 **Revise its system of detention to reduce the use of police custody for children, and ensure that police custody of children is a measure of last resort and for the shortest period of time possible (Canada);**

131.147 **Implement policies and programmes for the prevention, rehabilitation and social integration of victims of sexual exploitation and abuse, particularly minors (Costa Rica);**

131.148 **Seek to ensure the protection of all child victims and/or witnesses of crimes and comply with the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Libya);**

131.149 **Implement juvenile justice standards, in particular in regard to pre-trial detention of juveniles and the segregation of juveniles from adult prisoners (Austria);**

131.150 **Continue its efforts in the protection of all minors in conflict with law by taking into account the principles of best interest of the child, including the possibility of incorporating the principle of restorative justice in its juvenile justice system (Indonesia);**

131.151 **Facilitate access to justice by victims of sexual violence, particularly by reducing delay for hearings victims and improving care for these victims (France);**

131.152 **Guarantee that both women and men are equally paid for their services (Timor-Leste);**

131.153 **Continue its efforts to ensure equal pay to men and women for equal work (Benin);**

131.154 **Address the wage gap by further strengthening measures in ensuring that women and men receive equal pay for work of equal value (Malaysia);**

131.155 **Take concrete measures to address the wage-gap based on gender inequality in order to ensure that women and men receive equal pay for work of equal value (Rwanda);**

131.156 **Enhance measures to encourage participation of women in the labour market without gender discrimination, including by reducing the wage gap between men and women (Sri Lanka);**

131.157 **Multiply policies to increase the participation of women of migrant background in the labour market, as well as policies that make it possible to eliminate the wage gap between men and women (Paraguay);**

131.158 **Consider improving services at the Children's Houses further, including by providing shelter for all children below 18 years of age, enhancing training programmes for professionals working with and protecting children, and expediting cases within the 14-day statutory deadline (Thailand);**

131.159 **Review the practices concerning the removal of children from their families by the Child Welfare Service, in the light of the best interest of the child and take necessary measures to maintain the special bond of the child with his/her cultural, ethnic and religious identity, after removal from the family (Turkey);**

131.160 **Ensure that emergency shelters and social housing units meet an adequate standard, especially for families with children (United Kingdom of Great Britain and Northern Ireland);**

131.161 **That the services of the Children's Houses be available and accessible to all children up to the age of 18, and the due process of law be strengthened for victimized children by ensuring that they are interviewed within the 14-day statutory deadline (Iceland);**

131.162 **Elaborate and implement a substantially more effective strategy to fight child poverty (Kyrgyzstan);**

131.163 **Continue its efforts to support developing countries in their fight against poverty through its development assistances (Bangladesh);**

131.164 **Deploy further efforts in order to guarantee that any medical treatment to persons with intellectual disabilities or mental disorders be carried out in full respect of the human dignity of the patients concerned (Italy);**

131.165 **Take further concrete steps to reduce the use of coercion in the treatment and detention of persons with mental health issues or intellectual disabilities, including by improving the monitoring of mental health care institutions and developing voluntary alternatives to coercive interventions (New Zealand);**

131.166 **Ensure that coercive measures in mental health institutions are only applied when necessary and in a proportionate manner (Switzerland);**

131.167 **Ensure that criteria for compulsory treatment and detention in legislation and in practice are non-discriminatory and focused on safety, and remove any criteria referring to disability or "serious mental disorder" (New Zealand);**

131.168 **Further improve training given to health professionals on inter-culturalism (Portugal);**

131.169 **Effectively to implement the new regulations on health services and medical care that gives the right to all persons in the country to receive urgent medical attention and be examined by specialized care services (Venezuela (Bolivarian Republic of));**

131.170 **Redouble efforts to reduce abuse of drugs and other psychotropic substances, in particular by children, adolescents and youths (Costa Rica);**

131.171 **Strengthen efforts to reduce drug abuse, as recommended by the Committee on the Rights of the Child (Botswana);**

131.172 **Ensure the right to education for Roma Children and intensify measures taken to remedy the difficulties encountered by Roma and Romani/Taters children in the education system; and find solutions suited to the particular lifestyle of Roma (Iran (Islamic Republic of));**

131.173 **Take additional measures to ensure the full enjoyment of the right to education by children with an immigrant background and eliminate discrimination in access to education for them (Kyrgyzstan);**

131.174 **Guarantee access to primary and secondary education to all children, including migrant children and asylum seekers (Mexico);**

131.175 **Take additional measures to ensure the full enjoyment of the right to education by children with an immigrant background (Portugal);**

131.176 **To pursue in its efforts to ensure that indigenous peoples enjoy their right to education (Timor-Leste);**

131.177 **Continue its efforts to allocate sufficient pedagogical resources to support the right to education of the indigenous peoples of Norway (Benin);**

131.178 **Take appropriate measures to effectively support the cultures of persons belonging to national minorities, in particular by preserving their languages (Iran (Islamic Republic of));**

131.179 **Place special emphasis, in its general policy of protection of persons with disabilities, on the protection of children with disabilities, who are more vulnerable to discrimination (Spain);**

131.180 **Continue strengthening the provisions guaranteeing human rights to persons belonging to ethnic minorities (the former Yugoslav Republic of Macedonia);**

131.181 **Adopt measure to promote and facilitate the use of indigenous peoples' languages (Mexico);**

131.182 **Strengthen the measures to protect the indigenous populations in Norway and guarantee them a full access to natural resources (Côte d'Ivoire);**

131.183 **Adopt and ratify the Nordic Sami Convention by year 2016 (Denmark);**

131.184 **Undertake further steps to preserve and promote the traditional means of livelihood of the Sami people, such as reindeer grazing and fishing (Slovenia);**

131.185 **Sustain its dialogue with indigenous groups affected by the intensified state's mining activities in the North and to reach an agreement that is acceptable for both sides (Germany);**

131.186 **Ensure that the activities of transnational corporations and other business enterprises do not have a negative impact on the enjoyment of rights of indigenous peoples, and other ethnic groups (South Africa);**[1]

131.187 **Strengthen protection and promote the rights of the Sami people, including in terms of teaching their language and preserving their culture and traditions (Uzbekistan);**

131.188 **Adopt effective measures to protect Sami's linguistic right and culture (China);**

131.189 **Strengthen measures for the promotion and protection of human rights of minorities such as the Roma and other vulnerable groups (Venezuela (Bolivarian Republic of));**

131.190 **Continue pursuing appropriate, efficient policies aimed at further improving the access of Roma to education and consider the adoption of additional measures, as recommended by the national human rights institutions (Czech Republic);**

131.191 **Reformulate the plan of action to improve the living conditions of the Roma community which began in 2009 in order to ensure that it includes fundamental issues such as the eradication of illiteracy and providing Roma children with inclusive and quality education (Ecuador);**

131.192 **Further develop its integration policy of migrants and national minorities into the society (Armenia);**

131.193 **Revisit existing legislation and programmes with the aim to enhance social protection for all migrants, reduce xenophobia, and improve public perception of migrants (Philippines);**

131.194 **Strengthen migration policies, based on the respect of the human rights of all migrants (Venezuela (Bolivarian Republic of));**

131.195 **Develop campaigns to raise immigrants' awareness of their rights, particularly with regard to their rights to access to health care services (Portugal);**

131.196 **Reassess involuntary return practices and asylum processes, particularly for minors, in order to guarantee refugees the full protection accorded by the law (United States of America);**

131.197 **Take further steps to integrate the best interests of the child at all stages of the asylum and migration process, in line with human rights obligations under the CRC, and to ensure special protection for unaccompanied asylum-seeking children (Austria);**

131.198 **Continue and strengthen efforts to ensure respect for the best interest of children when enforcing public policies on the rights of migrants (Brazil);**

131.199 **Ensure the best interest of the child in all matters related to immigration (Chile);**

[1] The recommendation originally made was "Ensure that the activities of transnational corporations and other business enterprises do not have a negative impact on the enjoyment of rights of indigenous peoples (South Africa)".

131.200 **Take measures to prevent minors from disappearing from reception centres by identifying and ensuring the protection of children at risk of being trafficked (Finland);**

131.201 **Continue giving top priority to the issue of unaccompanied asylum-seeking minors placed in asylum centres and protecting them from disappearances, including providing the necessary resources, enhancing measures to quickly identify and bolstering previous efforts in this regard (Germany);**

131.202 **Place the responsibility for all unaccompanied minor asylum seekers up to the age of 18 years with the Child Welfare Services (Hungary);**

131.203 **Consider further strategies aimed at effectively addressing the situation of undocumented asylum seekers and the return of foreigners to States in internal armed or generalized violence on humanitarian grounds (Sierra Leone).**

132. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Norway was headed by Mr. Børge Brende, Minister of Foreign Affairs, Ministry of Foreign Affairs and composed of the following members:

- Mr. Steffen Kongstad, Ambassador Permanent Representative, Permanent Mission of Norway;
- Mr. Petter Wille, Ambassador, Ministry of Foreign Affairs, Norway;
- Ms. Kristin Ryan, Deputy Director General, Ministry of Local Government and Modernisation, Norway;
- Ms. Thea Bull Skarstein, Deputy Director General, Ministry of Children, Equality and Social Inclusion, Norway;
- Ms. Harriet E. Berg, Minister Counsellor, Permanent Mission of Norway;
- Ms. Helle Aase Falkenberg, Legal Adviser, Ministry of Justice and Public Security, Norway;
- Ms. Monica Furnes, Senior Advisor, Ministry of Foreign Affairs, Norway;
- Ms. Trine Heimerback, Senior Adviser, Ministry of Foreign Affairs, Norway;
- Ms. Anne-Li Norderhaug Ferguson, Senior Adviser, Ministry of Justice and Public Security, Norway;
- Mr. Jan Austad, Senior Adviser, Ministry of Justice and Public Security, Norway;
- Ms. Anne Kari Braathen, Senior Adviser, Ministry of Justice and Public Security, Norway;
- Mr. Sjur Øverbø Andersen, Senior Adviser, Ministry of Health and Care Services, Norway;
- Ms. Astrid Sehl, Adviser, Ministry of Foreign Affairs, Norway;
- Ms. Hanne Krogenæs, Adviser, Ministry of Children, Equality and Social Inclusion, Norway;
- Ms. Mali Gulbrandsen Asmyhr, Adviser, Ministry of Children, Equality and Social Inclusion, Norway;
- Mr. Erling Hoem, First Secretary, Permanent Mission of Norway;
- Ms. Gita Simonsen, Trainee, Permanent Mission of Norway; and
- Ms. Elin Geitle, Intern, Permanent Mission of Norway.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Norway

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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The Government of Norway welcomes the recommendations made during its Universal Periodic Review, which was held on 28 April 2014, and is pleased to provide the following responses, to be included in the outcome report.

131.1 Not accepted. Norway is party to the vast majority of human rights conventions and considers ratifying new conventions on an ongoing and case-by-case basis. Norway has an obligation to fulfil all its international obligations, regardless of how they are incorporated or transformed into Norwegian law. The question of whether or not new conventions should be incorporated into Norwegian law, and if so, how, is also considered on a case-by-case basis. However, as a general principle Norwegian law is presumed to be in accordance with Norway's international obligations. Where possible, Norwegian law is therefore to be interpreted in such a way that it does not conflict with the rules of international law by which Norway is bound, even if the conventions have not been incorporated into Norway's domestic legal order.

131.2 Accepted. The Norwegian Penal Code satisfies most of the obligations set out in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, but some amendments are necessary in order to ratify the Convention. A public consultation on the suggested amendments has been launched.

131.3 and 131.4 Accepted. It is a human rights priority for the Norwegian Government to prepare for ratification and full implementation of the UN Convention for the Protection of All Persons from Enforced Disappearance.

131.5–131.8 Not accepted. Norway has ratified the core ILO conventions on workers' rights, which also apply to residents who are foreign nationals.

131.9 Not accepted. Norway's interpretative declarations on the Convention on the Rights of Persons with Disabilities were made upon ratification in 2013, after careful consideration. They are consistent with the prevalent understanding among the States Parties and are – in the Government's view – fully compatible with the Convention.

131.10 Not accepted. The Ministry of Foreign Affairs intends to commission an independent study on the possible consequences of becoming a party to the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

131.11 and 131.12 Not accepted. Norway is currently not in a position to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

131.13 Not accepted. Norway is currently not in a position to ratify the Optional Protocol to the Convention on the Rights of the Child.

131.14 Not accepted. See response to recommendation 131.10.

131.15 Not accepted. See responses to recommendations 131.3, 131.12 and 131.13.

131.16 Not accepted. It is the view of the Norwegian Government that young offenders should be imprisoned as a last resort only, and the current penal policy is strongly influenced by restorative justice principles. Until recently, Norway has not had separate detention centres for juveniles. Thus, there would be a high risk that the very few juveniles who are imprisoned would be completely isolated if the principle of separating juveniles from adults were to be adhered to. A trial project with separate prison units for young offenders is currently being conducted. The aim of this is to prevent juveniles from having to serve their sentences in prisons together with adults or in total isolation. The aforementioned reservations cannot, however, be lifted and they are therefore being upheld.

131.17 Not accepted. See response to recommendation 131.3.

131.18 Not accepted. See response to recommendation 131.13.

131.19 Not accepted. See response to recommendation 131.3.

131.20 Not accepted. See response to recommendation 131.13.

131.21 Not accepted. Regarding reservations to article 10, paragraph 2 (b) and paragraph 3 of the ICCPR see response to recommendation 131.16.

131.22 Accepted. See response to recommendation 131.2.

131.23 Accepted, already implemented.

131.24 Not accepted. See responses to recommendations 131.13 and 131.10.

131.25 – 131.28 Accepted, already implemented.

131.29 Accepted, already implemented.[1]

131.30 Partially accepted. Norwegian criminal law (the Penal Code) covers many violent offences where in practice the victims are often women and girls. Some of the relevant penal provisions have been introduced partly to prevent and address violence against women and girls, but the Penal Code is not gender-specific. Although it is deemed adequate, some amendments aimed at further strengthening relevant provisions are currently under public consultation, including the ones referred to in the responses to recommendations 131.2, 131.22 and 131.32.

131.31 Accepted, already implemented.[2]

131.32 Accepted, already implemented.[3]

131.33 Accepted, already implemented.[4]

131.34 Accepted, already implemented.

131.35 Partially accepted. The Norwegian authorities are considering amending the legal definition of 'rape'. This is partly due to a recommendation from the UN Committee on the Elimination of Discrimination Against Women (CEDAW). A proposal to widen the definition of rape to include all kinds of non-consensual sexual activity has been subject to public consultation. The Ministry of Justice and Public Security has not yet made a decision on the matter.

131.36 Accepted.

131.37 Partially accepted. The Ministry considers on a regular basis whether or not national legislation is in line with international standards and principles. The Ministry will in the future consider looking into the issue of allowing citizens to appeal to the court in election-related matters.

131.38 Not accepted. The prohibition of torture is transformed into Norwegian law through section 117 a of the Penal Code. Norway has an obligation to fulfil all its international obligations, regardless of how they are incorporated or transformed into Norwegian law. The question of whether or not new conventions should be incorporated into Norwegian law, and if so, how, is considered on a case-by-case basis. However, as a general principle Norwegian law is presumed to be in accordance with international obligations. Where possible, Norwegian law is therefore to be interpreted in such a way that it does not conflict with the rules of international law by which Norway is bound, even if the conventions have not been incorporated into Norway's domestic legal order. See also response to recommendation 131.32.

131.39 Accepted, already implemented.[5]

131.40 Not accepted.

131.41 Not accepted. The penal provision on blasphemy has not been retained in the new Penal Code. However, as stated in the response to recommendation 131.39, hate speech is already criminalised providing that the human right to freedom of speech is upheld. In Norwegian criminal law, determining the penalty in any criminal case is to a large extent left to the discretion of the judge. The judge looks to case law for general guidance. For rape involving sexual intercourse, the law stipulates a minimum sentence of three years in prison.

131.42 Accepted, already implemented.[6]

131.43–131.52 Accepted. Regarding the recommendation on the establishment of a National Institution for Human Rights, the Storting (Norwegian parliament) decided on 19 June 2014 to establish a new national institution administratively organised under the Storting, and effective from 1 January 2015.

131.53 Not accepted. The Norwegian Centre for Human Rights has decided to terminate its role as the national institution. A decision has therefore been made to establish a new institution under the Storting (Norwegian parliament). See response to recommendation 131.43.

131.54–131.64 Accepted. See response to recommendation 131.43.

131.65 Accepted.

131.66 Not accepted. In 2014 the Equality and Anti-Discrimination Ombudsperson will receive approximately NOK 54 million (USD 9 million) in basic funding. The Ombudsperson operates independently within his or her field of expertise, and cannot be instructed by the Ministry. The Ombudsperson is free to give priority to specific challenges within his or her area of competence.

131.67. Partially accepted. The Norwegian Government gives consideration to national plans and priorities in its international cooperation activities.

131.68. Not accepted. An action plan is not considered the optimal measure at this point in time. The topic of human rights is well integrated into educational curricula. Higher education and teacher training institutions are particularly encouraged to increase their cooperation on human rights education. This is expected to lead to intensified efforts while preserving institutional autonomy in higher education.

131.69 Partially accepted. Efforts, including a new action plan, are under consideration.

131.70 Accepted.

131.71 Accepted, already implemented.

131.72 Accepted.

131.73 Partially accepted. The Norwegian Government has already taken actions to curb the over-sexualisation of women in the media. For example, in section 204 of the General Civil Penal Code, it is set out that any person who publishes, sells or in any other way attempts to disseminate pornography shall be liable to fines or imprisonment for a term not exceeding three years. Furthermore, section 2 a of the Marketing Control Act sets out that the marketer and the designer of the marketing shall ensure that the marketing does not conflict with the equality of the sexes and that it does not exploit the body of one of the sexes or convey an offensive or derogatory appraisal of women or men.

The Norwegian Government aims to curb the over-sexualisation of both sexes in the media. We do however believe in freedom of speech, also for the media, and will therefore not prohibit all statements with sexualised content.

131.74–131.77 Accepted.

131.78 Partially accepted. The Government funds implementation of the Council of Europe's campaign Young People Combating Hate Speech Online in Norway. Further efforts are under consideration.

131.79 Partially accepted. Efforts, including a new action plan, are under consideration.

131.80 Partially accepted. The Government is currently considering new measures to combat racism and xenophobia. The Norwegian Directorate for Children, Youth and Family Affairs has been assigned responsibility for collecting and systematising a comprehensive set of statistics on discrimination on all grounds.

131.81 Accepted

131.82 Partially accepted. The Government funds implementation of the Council of Europe's project Young People Combating Hate Speech Online in Norway. Further efforts are under consideration.

131.83–131.85 Accepted.

131.86 Partially accepted. Efforts are under consideration.

131.87 Accepted.

131.88 Accepted. Further measures are under consideration.

131.89 and 131.90 Accepted, already implemented.

131.91 and 131.92 Accepted.

131.93 Accepted, already implemented.

131.94–131.96 Accepted.

131.97 Partially accepted. The Government funds implementation of the Council of Europe's campaign Young People Combating Hate Speech Online in Norway. Further efforts are under consideration.

131.98 Accepted.

131.99 Partially accepted. Efforts, including a new action plan, are under consideration.

131.100 Accepted, already implemented.

131.101 Accepted, already implemented.[7]

131.102–131.110 Accepted.

131.111 and 131.112 Accepted, already implemented.

131.113 Accepted.

131.114 Accepted, already implemented.

131.115–131.118 Accepted.

131.119 Accepted, already implemented.

131.120 and 131.121 Accepted.

131.122. Partially accepted. Norway will consider establishing a national referral mechanism, but no decision has been made on this matter yet.

131.123–131.138 Accepted.

131.139 Accepted. Efforts are being made on a continuous basis to improve detention conditions.

131.140 Partially accepted. The Directorate of Norwegian Correctional Services is currently in the process of ensuring the compilation of detailed statistics on the use of solitary confinement. The tool which is being installed to obtain the said statistics (ASKS) is scheduled to be in place within 2014.

131.141–131.143 Accepted.

131.144 Partially accepted. ('Preventive detention' is understood as 'pre-trial detention'.) The Norwegian police has in recent years increased the fight against organised criminal groups committing thefts. Many of the arrested suspects are foreign nationals. This has created a strong increase in the use of pre-trial detention. Use of isolation in pre-trial detention is a restriction decided by the court, if there is an imminent danger that the detainee may interfere with the evidence of the case. The conditions to use isolation as well as the possibilities to prolong the isolation period are strict. Children cannot be fully isolated. Steps are currently being taken to reduce the effects of isolation on people in police holding cells.

131.145 Accepted, already implemented.[8]

131.146 and 131.147 Accepted.

131.148 Accepted, already implemented.

131.149 Partially accepted. On 20 January 2012, a law amendment entered into force under which minors may only be held in custody when 'compellingly necessary'. The threshold for remanding children in custody is, thus, very high. The establishment of separate juvenile units is meant to enable the segregation of children and adult prisoners. As long as there is space in a juvenile unit, children will – as a rule – not be placed in ordinary prisons. Once both adult and juvenile units are operational there may, however, still be occasions when children are placed in ordinary prisons together with adults, for instance when they need to be close to their home or it is considered to be in the best interest of the child for other reasons.

131.150. Accepted, already implemented.[9]

131.151. Accepted. Norway is in the process of implementing further measures to reduce delays in conducting hearings and to improve the care given to victims.

131.152 Accepted, already implemented.

131.153 and 131.154 Accepted.

131.155 Accepted, already implemented.

131.156 and 131.157 Accepted.

131.158 Partially accepted. Measures are being taken to process cases within the 14-day statutory deadline. When it comes to shelters for children under the age of 18, the Children's Houses do not provide accommodation of this kind. Rather, crisis centres (shelters) and child welfare services provide accommodation for children in need.

131.159 Partially accepted. All children in Norway should be protected from serious neglect, mistreatment and abuse, regardless of their background or citizenship. A placement outside the home that is against the will of the parents can only be issued when the child is subject to serious neglect, mistreatment or abuse, and when voluntary measures are not sufficient to protect the child.

Under the Norwegian Child Welfare Act, when a child is placed outside the home due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background. This can be a challenge in the case of children with minority backgrounds. It is an important priority for the Government to recruit more foster families with different ethnic, religious, cultural and linguistic backgrounds. Norway is also taking other measures to strengthen cultural expertise in the child welfare service. Norway is in the process of ratifying the Hague Convention of 19th October 1996 on parental responsibility and protection of children.

131.160 Accepted, already implemented.

131.161 Partially accepted. The services of the Children's Houses are available and accessible to children up to the age of 16. The regulations concerning the use of the Children's Houses are currently under review, and the age limit is one of the matters in question. The recommendation from Iceland will be taken into consideration before a conclusion is reached on this matter.

131.162 Accepted. The Government has decided to draw up a policy package targeting children growing up in socially and economically disadvantaged families.

131.163 Accepted.

131.164 Accepted, already implemented.[10]

131.165 Accepted, already implemented.[11]

131.166 Accepted. Due to known discrepancies between hospitals and health regions with regard to the volume of coercion used in mental health care, there is an acknowledged potential for change. Norway is therefore continuing its efforts to reduce and control the use of coercive measures.

131.167 Partially accepted. At present there are no plans to make changes in legislation with regard to compulsory admission and treatment in mental health care. Norway will await the results of the ongoing national strategy for increased voluntariness in mental health services before considering major legislative changes.

We also refer to Norway's declaration of interpretation in connection with its ratification of the Convention on the Rights of Persons with Disabilities.

131.168 Accepted.

131.169 Accepted, already implemented.[12]

131.170 Accepted. Reducing substance abuse and strengthening services for persons with mental illness are two of the Government's top priorities. Increased funding has already been allocated, several measures have already been implemented and more funding and measures are to come.

131.171 Accepted.

131.172 Accepted. Further measures are under consideration.

131.173–131.176 Accepted, already implemented.

131.177–131.181 Accepted.

131.182 Partially accepted. The Sami people have access to their natural resources. However, new activities in Sami areas may be considered. In such cases, the Sami people have the right to be consulted. Furthermore, our legal framework restricts the kind of activities that can be carried out, in order to safeguard the Sami people's right to enjoy their culture.

131.183 Not accepted. The aim is to complete the negotiations on the Nordic Sami Convention by the end of 2016.

131.184–131.190 Accepted.

131.191 Partially accepted. The action plan is currently being evaluated. The evaluation report is due to be completed in the autumn of 2014.

131.192 and 131.193 Accepted.

131.194. Not accepted. However, Norwegian asylum policy is already based on the principle of fair and humane treatment of each applicant, in accordance with the Immigration Act and Norway's international obligations.

131.195 Accepted, already implemented.

131.196. Not accepted. See response to recommendation 131.194. Norway does not return refugees; they are accorded full protection under the law. Asylum seekers who have had their applications assessed by the Immigration Authorities and have been denied asylum, however, are not refugees and will be returned, unless they are given a right to stay on other grounds. Norway emphasises that decisions on return must be enforced in order to safeguard respect of the law and maintain asylum as an instrument of protection.

131.197–131.199 Accepted, already implemented.[13]

131.200 and 131.201 Accepted.

131.202 Not accepted. The Child Welfare Act (CWA) applies to all children in Norway, regardless of their ethnic background and residence status. This includes all unaccompanied asylum seekers under the age of 18.

Unaccompanied asylum seekers between the ages of 15 and 18 are offered accommodation in reception centres run by the immigration authorities while their applications are being processed. The immigration authorities have the responsibility of care. Unaccompanied asylum seekers below the age of 15 are given accommodation in care centres run by the child welfare service, who also have responsibility of care for these children.

All unaccompanied minors below the age of 18 who are seeking asylum receive care and are given access to health services and education. Despite the fact that accommodation during the asylum-seeking process is offered by different authorities, the child welfare service has responsibility for all children in Norway and is to initiate the necessary child welfare measures to support and/or protect the child in accordance with the Child Welfare Act.

131.203 Not accepted. See response to recommendations 131.194 and 131.196.

Notes

[1] Domestic law satisfies the relevant international obligations, but amendments to domestic legislation are necessary in order to ratify the conventions referred to in recommendations 131.2 and 131.22.

[2] The penal provision specifically targeting domestic violence (section 219 of the Penal Code) entered into force on 1 January 2006.

[3] Norwegian law is considered to be in conformity with the convention. Nevertheless, Norway has stated that it will consider including other relevant types of discrimination in the provisions on torture, as part of technical and material amendments in the new Penal Code following its entry into force, which is planned for the second half of 2015.

[4] The existing legislation is considered to be in conformity with Norway's human rights obligations, including the right to freedom of belief, conscience and religion. Before draft legislation is presented to the Storting (Norwegian parliament), the Government considers whether the proposed legislation is

consistent with human rights. The right to freedom of belief, conscience and religion is also protected by conventions that are incorporated into Norwegian law through the Human Rights Act. In the event of conflict between norms, these conventions prevail over other Norwegian legislation.

[5] Hate speech, discriminating statements and incitement to violence – in any context – are criminal offences providing that the human right to freedom of speech is upheld.

[6] The penal provision specifically targeting domestic violence (section 219 of the Penal Code) entered into force on 1 January 2006.

[7] Provisions in the Penal Code cover many statements that may be described as hate speech. When made in public, hateful and discriminating statements, incitement to violence and the disclosure of certain private information are all considered criminal offences providing that the human right to freedom of speech is upheld. The same applies to harassment and threats.

[8] ('Preventative detention' is understood as 'pre-trial detention'.) A number of measures have been taken the last few years to ensure that pre-trial detention of children is being used only as a measure of last resort; in accordance with international human rights obligations. The number of children under the age of 18 years in pre-trial detention has, thus, been reduced and is now at a minimum.

[9] In order to ensure that prison is only used as a measure of last resort and that the best interest of the child is also a primary consideration in the case of juveniles in conflict with the law, a new, non-custodial sanction entered into force on 1 July 2014. This is intended to be an alternative to prison for juveniles who have committed serious and/or repeated crimes. Another measure aimed at less serious crimes entered into force simultaneously. Both of these measures are based on restorative justice principles.

[10] The efforts being made in connection with the ongoing national strategy for increased voluntariness in mental health services will continue throughout 2015. The results will then be evaluated and any need for further follow-up will be considered.

[11] Relevant measures are being implemented, but this work is not yet finished, as it is part of the aforementioned national strategy for increased voluntariness in mental health services (2012–2015).

[12] The regulations have been implemented. The right to specialised health care is decided on the basis of an individual assessment of the person's health, and is normally based on a referral from the person's GP.

[13] Securing the rights of the child is essential to Norway. Norway has recently, as a one-off solution, allowed families who have been in Norway for three years or more at a given date and meet certain conditions to obtain a residence permit. The Government has also proposed a permanent arrangement to ensure that greater emphasis is placed children's situation.

Furthermore, the Government has proposed changes to the Immigration Regulations, to further clarify the justification needed for decisions involving children. The immigration authorities are also currently following up the recommendations of an external report. These recommendations concern how the Immigration Appeals Board applies the child's right to be heard and how it assesses the situation of children in asylum cases.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Albania

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April to 9 May 2014. The review of Albania was held at the 2nd meeting, on 28 April 2014. The delegation of Albania was headed by Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office and other international organizations in Geneva, Filloreta Kodra. At its 10th meeting, held on 2 May 2014, the Working Group adopted the report on Albania.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Albania: Austria, Kenya and Montenegro.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Albania:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/ALB/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/19/ALB/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/ALB/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, the Netherlands, Mexico, Portugal, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Albania through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of Albania stated that since the first UPR cycle, Albania had improved its legal, institutional and policy framework in several human rights areas, including gender equality, the rights of women and children, combating domestic violence and human trafficking, education, health care, the justice system, combating corruption, and the rights of persons with disabilities. The Government had undertaken a series of measures to promote and protect human rights by implementing recommendations put forward during the first cycle.

6. The Ombudsman and the Commissioner for Protection from Discrimination played an important role in promoting and protecting human rights. The Commissioner provided assistance to victims of discrimination by addressing individual complaints and conducting ex-officio investigations. The number of cases examined by the Commissioner had significantly increased. The Commissioner had proposed a number of legal amendments aimed at aligning domestic legislation with international standards, including amendments to the Criminal Code in view of avoiding the prosecution of victims of human trafficking.

7. The delegation reported on measures undertaken by Albania to protect the rights of women, ensure gender equality and combat domestic violence, including the adoption of

the National Strategy on Gender Equality and Reduction of Gender-Based Violence and Domestic Violence for 2011-2015. One important objective of the Strategy was an increase in the participation of women in political and public life. In 2013, the number of women in Parliament and in the Government had increased. Ministries had begun the consultation process regarding the implementation of gender mainstreaming in the medium-term budget programme.

8. Regarding assistance to victims of domestic violence, the necessary measures had been taken to strengthen the national referral mechanism, offer legal assistance to the victims of domestic violence and ensure special treatment and protection of the victims of domestic violence accommodated in the national shelter for rehabilitation. An online case registration system and a toll-free telephone line for victims of domestic violence had been established and capacity-building of the respective professionals undertaken.

9. In addition to the adoption of the Law on the Protection of the Rights of the Child, the Government had initiated the elaboration of a working protocol as a methodological guide to child protection efforts for local and national State agencies involved in the protection of children. The law on pre-university education ensured that children under custody enjoyed all their rights and had access to education. Those children were provided with free textbooks and with psychosocial care, and were entitled to special quotas in secondary and higher education.

10. In the framework of ongoing administrative and territorial reforms, the Government had planned to strengthen the child protection units and increase their capacities to enable them to offer high-quality services for children and their families.

11. The Government had undertaken new initiatives with the aim of protecting children from all forms of abuse, exploitation and neglect through coordinated intervention and a comprehensive approach to the protection of the interests of the child and support for families. A draft plan and draft procedural guidelines had been prepared for professionals involved in the identification, referral and case management of children in street situations.

12. To improve the juvenile justice system a, special institution for the treatment of minors serving prison sentences had been set up and had started functioning with the financial support of the European Union.

13. The National Action Plan for the Decade of Roma Inclusion 2010-2015 was aimed at improving the socioeconomic status, social inclusion and integration of the Roma. Specific policies and programmes, including free training courses, had been implemented to promote employment for the Roma in general and for Roma women in particular.

14. A small grants programme, funded by the 2014 State budget, had been implemented to improve the housing conditions of the Roma and Egyptian communities. Municipalities had been entitled to apply for small grants to implement projects aimed at improving the housing conditions of those communities.

15. Education was a national priority of the Government. Measures had been taken to address the school dropout rate, including implementation of the "zero school dropout initiative". Legislative, administrative and institutional measures had also been taken to guarantee the inclusion of Roma children and youth in the mainstream education system. The number of Roma children in the education system had increased and the enrolment of Roma children in schools was ensured, even in the absence of a birth certificate.

16. The delegation stated that the participation of children in decision-making had been guaranteed by domestic legislation, including participation in the process of approval of mid-term and long-term plans of their educational institutions and in procedures for the appointment and dismissal of school directors.

17. To step up the fight against human trafficking, a series of measures had been taken to improve the legal framework. In 2013, legal amendments to the Criminal Code had been adopted to address internal human trafficking. Amendments to the relevant laws had introduced a provision for financial assistance to the victims of trafficking, in addition to the social services provided in the reception and reintegration centres. By-laws had been adopted in order to coordinate effectively the work of the central and local structures in their fight against human trafficking.

18. A series of measures, including public awareness-raising campaigns, had been taken to prevent cases of human trafficking. The Government had strengthened its cooperation and partnership with civil society and had established an advisory group comprising civil society organizations that worked on issues related to trafficking. Moreover, it was planned to draft a strategy and a new plan of action in the fight against trafficking in human beings.

19. A plan of action had been drafted in order to fight the phenomenon of blood feuds and revenge. A specialized office had been established to direct, control and coordinate the activity of structures working to prevent and combat cases of blood feud. The Government had increased its cooperation with the local government and non-governmental organizations (NGOs) to settle disputes by means of reconciliation.

20. In addition to the legal measures adopted to combat discrimination, Albania had developed a plan for 2012-2014 to address discrimination on the grounds of sexual orientation and gender identity. It included guidance and directions for educational institutions with a view to creating a safe environment in schools, in which there would be no intolerance or social exclusion on the grounds of sexual orientation and gender identity.

21. The delegation stated that important reforms had been made to protect the human rights of detainees. In April 2014, several amendments had been adopted in order to improve the rights of persons deprived of their liberty, and the conditions and treatment of convicted persons. The new Mid-Term Strategy of the Prison System and its Action Plan had been drafted for 2014-2017, setting a number of priorities, including the harmonization of legislation with the Community acquis, and improvement of the infrastructure and material conditions of the penitentiary institutions.

22. In 2014, the implementation of the new law granting amnesty had resulted in a significant reduction in prison overcrowding. The construction of two penitentiary institutions in 2014 would also contribute to addressing prison overcrowding and improve general conditions in the penitentiary system.

23. Monitoring of places of detention had been carried out by specialized institutions within or outside the prison system. In 2014, the General Directorate of Prisons had signed 14 agreements with NGOs to enable them to carry out inspections. A working group had been set up to develop an anti-corruption strategy for the prison system.

24. Albania had extended a standing invitation to all the special procedures and two special rapporteurs had visited the country during the reporting period. The Government had pledged to continue working with special procedure mandate holders in implementing their recommendations. Albania was considering accepting the individual complaints procedure under all the human rights conventions to which it was a party.

25. Albania had submitted its candidacy for membership of the Human Rights Council for 2015-2017. The protection and promotion of human rights had been a priority of the new Government and it would continue to fulfil its international obligations by implementing relevant legislation and policies, increasing public awareness and strengthening cooperation between different stakeholders in the field of human rights.

B. Interactive dialogue and responses by the State under review

26. During the interactive dialogue, 63 delegations made statements. Recommendations made during the dialogue are to be found in section II below.

27. Sierra Leone noted ongoing efforts to protect children's rights, particularly amendments to corresponding legislation. It commended the incorporation of human rights in the national legislation in compliance with obligations under international conventions. It encouraged Albania to proceed with strategies to ensure social integration of the minorities for the full enjoyment of their rights. Sierra Leone made recommendations.

28. Slovakia commended Albania on its cooperation with the human rights mechanisms. While noting various legislative amendments, Slovakia considered that efforts to implement human rights legislation should be intensified. It expressed concern about discrimination towards the Roma community and the lack of access to education for Roma children. Resources and policies in that area should be strengthened. Slovakia made recommendations.

29. Slovenia commended progress regarding domestic violence and welcomed the amendment and adoption of relevant legislation, but was concerned at reports of domestic violence and ineffective investigation into complaints. It noted the high dropout rate of girls from primary school. It urged the Government of Albania to increase protection for vulnerable groups, particularly women and girls. Slovenia made recommendations.

30. Spain recognized efforts to eliminate gender-based discrimination and the adoption of a national strategy and action plan for the Roma people. It highlighted the observation of the Committee on the Rights of the Child that corporal punishment of children was widespread at home and school. It congratulated Albania on its ratification of the Convention of the Rights of Persons with Disabilities. Spain made recommendations.

31. Sweden expressed concern about blood feuds, the extent of which was not fully known, resulting in a lack of preventive measures. While welcoming efforts to strengthen women's rights, it noted the underrepresentation of women in public office. It nevertheless congratulated Albania for fulfilling the 30 per cent quota for women in the Council of Ministers. Sweden made recommendations.

32. Switzerland was concerned at shortcomings in child protection. It applauded the adoption of legislation against discrimination but noted the prevalence of gender-based discrimination. It regretted that the Egyptian community was not recognized as a minority, and was concerned at discrimination against that group. Switzerland made recommendations.

33. Thailand noted efforts to combat domestic violence and violence against women. It welcomed the importance attached to the promotion of gender equality by Albania, but believed that measures could be strengthened in that field. It believed that further attention should be given to services supporting victims of trafficking. Thailand made recommendations.

34. The former Yugoslav Republic of Macedonia urged the Government to further combat domestic violence. It asked about consultations between stakeholders and the Ministry of Local Administration regarding the law on administrative and territorial division, the results thus far and minority groups' participation in those consultations. It enquired about labour rights policies envisaged for ethno-linguistic and national minorities. It made recommendations.

35. Togo applauded the strengthening of the legal and institutional framework and the adoption of action plans in areas including children's and women's rights. It regretted the

lapses in the law on discrimination, particularly the non-prohibition of discrimination based on nationality. Togo made a recommendation.

36. Tunisia noted progress in areas such as discrimination, human trafficking, the judiciary and education. It noted efforts to combat domestic violence and encouraged Albania to challenge the stereotypes that fostered such a scourge. It encouraged Albania to intensify its fight against vendetta-related crimes, investigate such crimes and bring the culprits to justice. Tunisia made recommendations.

37. Turkey appreciated efforts to establish democratic institutions. It encouraged Albania to continue to combat domestic violence and to take measures to emancipate women, particularly in the areas of education and employment. It noted the adoption of the law on social services, which would contribute to gender equality. Turkey made recommendations.

38. The United Kingdom welcomed efforts to combat religious extremism, human trafficking and blood feuds. It urged the Government to increase convictions and raise public awareness of domestic violence. It was concerned at inadequate facilities in places of detention for persons with physical disabilities and inadequate care of prisoners with mental health issues. It made recommendations.

39. The United States of America commended the appointment of the national anti-trafficking coordinator. It was concerned at the lack of capacity of the police to address all reported cases of domestic violence. It noted reports of police mistreatment of detained suspects and deplored the engagement of children in the worst forms of labour. The United States made recommendations.

40. Uruguay welcomed the 2012 and 2013 reforms of the Criminal Code. It applauded the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. It noted efforts to improve the situation of women and achieve gender equality at all levels of public office. Uruguay made recommendations.

41. The Bolivarian Republic of Venezuela noted the ratification of the Convention on the Rights of Persons with Disabilities. It acknowledged efforts to improve the living conditions of the Roma community, including the establishment of preschool facilities. It also noted steps to strengthen legislation regarding domestic violence. It made recommendations.

42. Viet Nam thanked the delegation for updated information on the human rights situation. It noted efforts and achievements made in the field of human rights, including legislative reform following the 2013 elections, capacity-building of human rights institutions, and increased participation in core European and international human rights instruments. Viet Nam made recommendations.

43. Afghanistan praised the adoption and amendment of several laws and strategies and the accession to certain international conventions. It acknowledged steps to improve the justice system, particularly the adoption of the cross-cutting justice strategy to increase access to justice. It appreciated the attention given to the rights of vulnerable persons. Afghanistan made a recommendation.

44. Algeria noted the adoption of legislation regarding discrimination and gender equality. It also noted the ratification of various conventions, including the Convention on the Rights of Persons with Disabilities. It hoped that the action plan regarding the Roma would promote the rights of that community and that the Criminal Code amendments would strengthen the fight against human trafficking. Algeria made recommendations.

45. Angola congratulated Albania on the legislative reform process, particularly the harmonization of national child protection laws with the Convention on the Rights of the Child, and encouraged Albania to strengthen cooperation with human rights mechanisms in that area. It commended efforts in respect of women's rights, gender equality and violence against women. Angola made a recommendation.

46. Argentina congratulated Albania on the ratification of the Convention on the Rights of Persons with Disabilities and welcomed the country's commitment to respect the rights of persons with disabilities. It applauded the adoption of legislation on protection against discrimination and noted measures taken in the framework of the fight against discrimination. Argentina made recommendations.

47. Australia encouraged Albania to build on the success of the 2013 elections to increase democracy and move towards European integration. It welcomed efforts to address corruption by restricting the immunity of high-level officials. It was concerned at the prevalence of domestic violence and the scarcity of judicial proceedings. It recognized efforts regarding the Roma and Egyptian communities. Australia made recommendations.

48. Austria commended the ratification of various instruments. It was alarmed by reports of discrimination and violence against women. Despite progress, it was concerned about the many Roma children outside education. It asked what steps would be taken to address internal and cross-border human trafficking. Austria made recommendations.

49. Belgium welcomed the broadening of protection against discrimination based on sexual orientation and the introduction of the national strategy for gender equality. Significant challenges remained regarding corruption and the independence of the judiciary. Despite relevant legislation, the situation of women and children was a cause for concern. Belgium made recommendations.

50. Brazil noted with satisfaction the ratification of the Convention on the Rights of Persons with Disabilities and the national strategy to reduce gender-based violence. It appreciated the creation of the position of Commissioner for Protection from Discrimination and the national action plan for children. It was concerned by provisions which allowed child victims of prostitution to be prosecuted. Brazil made recommendations.

51. Canada asked for information on additional measures envisaged to address trafficking in persons and further strengthen the implementation of relevant laws. It supported measures to combat gender-based violence and noted the adoption of legislation criminalizing sexual violence within marriage, but remained concerned at the lack of mechanisms to bring the perpetrators to justice. Canada made recommendations.

52. China appreciated efforts to implement the recommendations accepted in the previous UPR cycle, including the amendment of legislation regarding women's and children's rights, the rights of persons with disabilities, domestic violence, human trafficking, social security, education and health care. It welcomed efforts to implement the action plan on the inclusion of the Roma community. China made recommendations.

53. The Congo praised the strengthening of the legal framework concerning, inter alia, social services, education and the judiciary. It noted the Criminal Code amendments to prevent domestic violence, protect victims and impose harsher sentences on the perpetrators of such violence. It commended the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The Congo made recommendations.

54. Costa Rica applauded efforts to align national legislation with international instruments such as the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance. It

noted measures to strengthen protection against domestic violence. It encouraged Albania to improve legislation concerning human trafficking and the early identification of trafficking victims. It made recommendations.

55. Croatia welcomed various reform measures and steps to improve the efficiency of investigations and prosecutions. It noted efforts to combat corruption and organized crime and the enhancement of legislation regarding discrimination, human trafficking, and children's and women's rights. It encouraged Albania to continue to improve the protection of victims of human trafficking and children's rights. Croatia made recommendations.

56. The Czech Republic welcomed the amendment to the Criminal Code which categorized domestic violence as a crime punishable by imprisonment. It noted that Albanian law provided for public access to government information and acknowledged the considerable progress achieved in the field of the rights of the child. It made recommendations.

57. The delegation of Albania reported that the 2010 Law on the Protection of the Rights of the Child incorporated a clear definition of the child as every person below the age of 18. A new and comprehensive child protection system was functioning to identify all children at risk of exploitation, violence, abuse and neglect.

58. Corporal punishment had been legally banned. The Government was implementing awareness campaigns and capacity-building programmes for various professional groups. The Government was trying to better link the child protection system with the domestic violence referral mechanism by organizing common training of public officers and by integrating social service providers for women and children.

59. In response to questions on domestic violence, the delegation mentioned that recent amendments to the Criminal Code had contributed to a considerable number of prosecutions and it provided some statistics. Capacity-building and training for the police on the application of the amended legislation had assisted those prosecutions. The police had been included in the national referral mechanism to ensure that criminal and social aspects of the problems were addressed.

60. With regard to human trafficking, the authorities had amended the Criminal Code to address problems concerning prosecutions. All stakeholders had been included in training on implementation of the amended legislation. The police had been applying standard operating procedures for the identification of victims of trafficking. The steps to be taken in investigations had been defined in by-laws. The number of victims and potential victims who had been identified and assisted in shelters had increased.

61. The General Directorate of Prisons, in cooperation with Save the Children, had implemented a programme on juvenile justice which included services to support rehabilitation and prepare for the reintegration of children. Activities to support reintegration had focused on empowerment and capacity development as well as the use of coordination networks for the governmental and NGO personnel involved.

62. With respect to mentally ill persons and persons with disabilities in the penitentiary system, an agreement signed between the relevant ministries had set the objective of improving health-service provision, including psychiatric services. That included the creation of a new forensic psychiatric institution to house patients treated under court orders. Specialized units would be included for the treatment of detainees with mental health problems and new institutions would be opened to improve conditions for detained persons with disabilities.

63. In response to questions on the implementation of the recommendations of the Ombudsman, the delegation said that the General Directorate of Prisons had established a working group to monitor the implementation of those recommendations.

64. The Commissioner for Protection from Discrimination had examined complaints alleging discrimination based on sexual orientation or gender identity and had initiated an ex officio investigation in that field. The delegation provided information on the Commissioner's decisions and the sanctions imposed, and on training and outreach activities across the country. The Commissioner's competencies covered the private as well as the public sector.

65. The Democratic Republic of the Congo noted progress in various areas of national life and improvements to legislation. It applauded the strengthening of the rights of women, children and persons with disabilities. It noted women's increased participation in public office, and efforts to combat corruption, torture and human trafficking. It made a recommendation.

66. Denmark commended the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and legislative amendments in that area. It noted with concern the allegations of torture and ill-treatment of detained persons and encouraged Albania to prevent torture by increasing visits by the national preventive mechanism to detention facilities without prior notification. Denmark made recommendations.

67. Egypt welcomed efforts to strengthen the role of the ombudsman and integrate the Roma community. It commended measures on human trafficking and child protection. It asked for details on the challenges to the effective implementation of legislation concerning domestic violence and women's political empowerment, and the measures envisaged to address those issues. Egypt made recommendations.

68. Estonia welcomed progress made and encouraged further steps to strengthen the rule of law, including further reforms in the justice sector. Despite improved freedom of expression, further efforts were needed to fully guarantee media independence and the safety of journalists. It encouraged steps to improve good governance and attention to women's rights, particularly with regard to violence. Noting political polarization, consideration of the Ombudsman's recommendations and international obligations remained a priority. Estonia made recommendations.

69. France welcomed the delegation of Albania. It applauded the ratification of the Convention on the Rights of Persons with Disabilities. France made recommendations.

70. Germany commended the ratification of the Convention on the Rights of Persons with Disabilities, the creation of the position of Commissioner for Protection from Discrimination and the National Strategy on Gender Equality and Reduction of Gender-based Violence and Domestic Violence for 2011-2015. It remained concerned about the fragmented human rights protection. It asked about steps taken to counter blood feuds, protect potential victims and seek prosecutions. Germany made recommendations.

71. Ghana asked to what extent civil society had participated in the preparation of the national report. It noted the adoption of a cross-cutting strategy to fight corruption but said that anti-corruption efforts should be fully implemented. It urged Albania to continue steps to prevent torture; particularly the enforcement of the Criminal Code regarding deprivation of liberty and humane treatment.

72. Greece encouraged further steps to combat domestic violence. It asked for details on improvements to the protection of minorities in the legislative and policy framework; and on restitution of private property to religious institutions and members of minority groups. It commended the adoption of the law on the registration of immovable property. Greece made a recommendation.

73. Hungary noted positively the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on

a communications procedure. It commended the law on measures against violence in family relations, but noted that few protection orders had been granted to victims. It expressed concern at the situation of minority languages and that large numbers of Roma children remained uneducated and illiterate. Hungary made recommendations.

74. Indonesia appreciated efforts to strengthen legal and administrative frameworks for monitoring the promotion and protection of human rights; namely the roles of the Ombudsman and the Commissioner for Protection from Discrimination. However, there remained room for improvement. Indonesia made recommendations.

75. Iraq noted that the report reflected Albania's desire to promote and enhance fundamental rights and freedoms and uphold them. It commended Albania's accession to many international instruments and protocols, the latest being the Convention on the Rights of Persons with Disabilities. That had affirmed Albania's determination to strengthen international cooperation to protect and promote human rights and meet international standards.

76. Ireland welcomed progress, including in protecting the rights of lesbian, gay, bisexual and transgender persons, and asked about the implementation of the previously accepted recommendation to educate police officers on sexual orientation issues. It urged Albania to intensify efforts to prevent violence against women in all its forms. It expressed concern regarding the prevalence of trafficking in persons. Ireland made recommendations.

77. Israel asked what steps were being taken to ensure women's rights were respected and to end gender-based discrimination. It commended the adoption and amendment of numerous human rights-related laws and by-laws and the ratification of several international conventions and protocols. Israel made a recommendation.

78. Italy particularly appreciated commitments to enhance civil service efficiency and fight corruption. It noted the progress achieved in preventing violence against women. It mentioned recurring blood feud episodes that negatively affected children's rights. Italy made recommendations.

79. Lithuania welcomed the adoption of the Law on Protection from Discrimination and the appointment of the Commissioner for Protection from Discrimination; the National Strategy on Gender Equality and Reduction of Gender-Based Violence and Domestic Violence for 2011-2015 and the associated law. Steps had to be taken to combat human trafficking. Violence against journalists was a concern. Lithuania made recommendations.

80. Malaysia welcomed progress in implementing UPR recommendations on combating child trafficking, sexual violence and the ill-treatment of women and children. It noted amendments to the Criminal Code to prevent violence against women, and the adoption of strategies relating to gender-based violence and trafficking of children. However, children were still reportedly exploited. Malaysia made recommendations.

81. Maldives highlighted the adoption of new legislation to protect human rights and the amendment of the Criminal Code in line with international standards, notably ensuring harsher punishment of perpetrators of domestic violence. It noted ratification of the Convention on the Rights of Persons with Disabilities, which would improve the situation of persons with disabilities. It made recommendations.

82. Mexico recognized Albania's cooperation with international human rights instruments, including the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. It applauded the National Strategy on Gender Equality and Reduction of Gender-Based Violence and Domestic Violence for 2011-2015, and hoped that would lead to more convictions and the increased effectiveness of victim protection orders. Mexico made recommendations.

83. Montenegro asked whether further regulations would be implemented to increase women's participation in government positions, and whether additional measures would be taken to promote the equal participation of national minorities. It highlighted the appointment of the Commissioner for Protection from Discrimination and the adoption of the Law on Protection from Discrimination. It noted efforts to protect women from violence and integrate Roma minorities and LGBT persons.

84. Morocco asked for information regarding the National Strategy on Gender Equality and Reduction of Gender-Based Violence and Domestic Violence, the Action Plan on Children, the National Strategy on Persons with Disabilities, and the Action Plan for the Implementation of the Decade of Roma Inclusion. Morocco made recommendations.

85. The Netherlands welcomed Albania's commitment to promoting equal rights for lesbian, gay, bisexual and transgender persons and preventing discrimination, and hoped that would lead to legislative amendments regarding gender identity, gender expression and hate speech. It expressed concern regarding the impartiality of and access to the judicial system and prevailing attitudes leading to harmful practices such as prenatal sex selection. It made recommendations.

86. Nicaragua noted the implementation of recommendations from the first UPR cycle and the adoption of national strategies of social and economic importance. It expressed concern regarding continuing domestic and sexual violence against women and children and discrimination against minority groups. Nicaragua made recommendations.

87. The Philippines noted Albania's accession to international instruments, enactment of laws on discrimination and protection of children's rights and amendments to the Criminal Code. It welcomed efforts to address domestic violence and human trafficking, and action plans to improve access to education and health services and protection for persons with disabilities. It urged continued commitment to human rights, particularly for vulnerable groups. It made recommendations.

88. Poland acknowledged the progress made in developing a legal and institutional human rights framework, including the Commissioner for Protection from Discrimination. It appreciated Albania's efforts to comply with recommendations accepted during the first UPR cycle, particularly ratification of the Convention on the Rights of Persons with Disabilities. Poland made recommendations.

89. Portugal welcomed Albania's extension of a standing invitation to special procedures of the Human Rights Council. It noted the 2013 amendment to the Criminal Code to widen protection against discrimination on the basis of sexual orientation. It remained concerned about violence against and trafficking and sexual abuse of children. Portugal made recommendations.

90. Qatar welcomed efforts to implement recommendations made in the first UPR cycle. It commended the adoption of the Action Plan on Children and the National Action Plan on the Fight against Trafficking in Human Beings. It congratulated Albania on ratifying the Convention on the Rights of Persons with Disabilities. Qatar made recommendations.

91. The Republic of Korea noted new and revised laws and regulations in line with international instruments, and welcomed the establishment of judicial bodies and the appointment of the Commissioner for Protection from Discrimination. It asked about the difference between the work of the latter and the People's Advocate. It noted the under-representation of women in the public sector and in politics. It made recommendations.

92. The Republic of Moldova requested information regarding ongoing reform of the justice sector, particularly provision of free legal aid. It acknowledged the criminalization of domestic violence and marital rape and the referral mechanism for victims/potential

victims of trafficking and asked whether that had increased early identification of victims. It made recommendations.

93. The Russian Federation welcomed the national report presented by Albania and noted the difficult human rights situation in the country. The Russian Federation made recommendations.

94. Rwanda commended the adoption of the National Strategy on Gender Equality and Reduction of Gender-Based Violence and Domestic Violence for 2011-2015. It commended steps to combat corruption, including restricting the immunity of high-level officials. It noted the number of women holding public and political positions. Rwanda made recommendations.

95. Saudi Arabia noted the steps taken to implement recommendations made during the first UPR cycle. It particularly commended efforts to ensure the protection of rights of persons with disabilities, through appropriate legislation and their inclusion in the National Strategy for Development and Integration and the Strategy on Employment and Professional Training. Saudi Arabia made recommendations.

96. Serbia commended improvements to the institutional framework and the capacity of independent institutions, and encouraged further progress. Serbs had been unable to declare their ethnicity during the 2011 census. It urged Albania to adopt a law on national minorities, to ensure that all minorities could exercise their rights equally. Serbia made recommendations.

97. Romania noted that Albania had overcome a history of dictatorship and had made impressive progress in human rights. However, the effective protection and implementation of the rights of persons belonging to minorities remained a priority. The distinction between national and ethno-linguistic minorities could be contrary to the principle of non-discrimination. Romania made recommendations.

98. Responding to questions concerning blood feuds, the delegation of Albania stated that the Government had carried out public awareness campaigns and had worked with NGOs and the National Reconciliation Committee to address the issue. The authorities had been proactive in gathering police intelligence to identify and prevent such crimes, and had provided police protection to families in conflict. As a result, few blood-feud deaths had occurred in 2013.

99. Responding to questions on minority rights, the delegation stated that a road map was being prepared to protect national minorities' rights. A working group had been established to review existing legislative and institutional frameworks and address complaints from minorities. The working group, comprising the Ombudsman, the Commissioner for Protection from Discrimination and representatives of civil society, would present conclusions and proposals for improvements to the legal framework by the end of 2014. Those proposals would also address the distinction between the two categories of minorities identified. The process to reform property rights would further be completed by the end of 2014.

100. The delegation stated that civil society had been actively involved in various government initiatives and had participated in the monitoring of national institutional bodies. For example, civil society representatives were part of the National Council for Protection of the Rights of the Child, participating in monitoring the child protection system.

101. Albania had joined the global fight against discrimination on the basis of gender and sexual orientation, and measures were being implemented in collaboration with relevant government structures, civil society, international organizations, academia and independent institutions, including legislative review, public awareness activities, and capacity-building

among police, social workers and health workers. Awareness-raising activities had previously taken place during the week against homophobia, which had resulted in increased public awareness. There were proposals to amend the Family Code concerning cohabitation for lesbian, gay, bisexual, transgender and intersex persons, and to amend the Labour Code to broaden the concept of non-discrimination on the basis of sexual orientation and gender identity in matters of employment and vocational training.

102. In response to the question on overlapping competencies between the People's Advocate and the Commissioner for Protection from Discrimination, the delegation outlined a number of differences between the two institutions. The People's Advocate was a constitutional institution, defending the rights of individuals from public administration actions. It made recommendations on such cases and was able to initiate proceedings in a constitutional court. The Commissioner was an independent public institution, ensuring non-discrimination in both the private and public sectors, imposing fines and providing representation for complainants in civil judicial cases.

103. In response to the question on the protection of women's rights, the delegation gave assurances that the Government's commitment to continue implementing measures had already been demonstrated. Albania had been one of the first to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence and was implementing it, collaborating with NGOs and providing them with funds from the State budget. The Government was also committed to eliminating the gender wage gap, as well as the discrepancy between the content and the implementation of legislation and its implementation in that respect.

II. Conclusions and/or recommendations**

104. **The recommendations formulated during the interactive dialogue and listed below have been examined by Albania and enjoy the support of Albania:**

104.1 **Sign and ratify the Optional Protocol to the ICESCR (Spain);**

104.2 **Ratify the Optional Protocol to ICESCR (Portugal) (Israel);**

104.3 **Ratify the Optional Protocol of the CRPD (Austria) (Israel) (Rwanda);**

104.4 **Consider ratifying the Optional Protocol to the CRPD (Estonia);**

104.5 **Sign and ratify the Optional Protocol to the CRPD (Spain);**

104.6 **Ratify the European Charter for Regional or Minority Languages (Hungary);**

104.7 **Ratify ILO Convention No. 189 (Israel);**

104.8 **Consider ratifying ILO Convention No 2. on Unemployment (Israel);**

104.9 **Consider ratifying ILO Convention No. 117 on Social Policy (Israel);**

104.10 **Consider ratifying ILO Convention No. 118 on Equality of Treatment (Israel);**

104.11 **Effectively integrate the Rome Statute and the Convention for the Protection of All Persons from Enforced Disappearances in its domestic legislation (Uruguay);**

** The conclusions and recommendations will not be edited.

104.12 **Fully align its national legislation with the Rome Statute of the International Criminal Court (ICC) and the Kampala Amendments, including by incorporating provisions to cooperate promptly and fully with the ICC and to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Estonia);**

104.13 **Allocate additional resources in order to further strengthen the work of the Ombudsman's Office (Sierra Leone);**

104.14 **Provide the Office of the People's Advocate with the appropriate financial and human resources and follow up diligently on its recommendations (Tunisia);**

104.15 **Allocate the necessary resources to fulfil the mandate of the Ombudsman, and ensure compliance of this institution with the Paris Principles (France);**

104.16 **Strengthen the public impact of the People's Advocate (Ombudsman) and his capacity to act effectively as a preventive national force also when it comes to sensitive issues such as prosecution of acts of torture (Czech Republic);**

104.17 **Improve the function of the People's Advocate by providing the necessary financial assistance and human resources and make efforts to implement the recommendations of the Advocate (Republic of Korea);**

104.18 **Take measures to facilitate the effective performance of the functions of the Ombudsman, ensuring the adequate provision of financial resources for its work and an appropriate follow-up of its recommendations (Mexico);**

104.19 **Respond to the recommendations of the Ombudsman without ignoring them (Saudi Arabia);**

104.20 **Review national legislation and take the necessary legislative measures to ensure that there is no overlap of functions between the Office of the Commissioner for the Protection from Discrimination and the Ombudsman, and consider granting the Ombudsman the necessary financial and human resources to enable it to fulfil its mandate with more efficiency and independence, in accordance with the Paris Principles (Uruguay);**

104.21 **Strengthen the role and resources of institutions in charge of human rights (Algeria);**

104.22 **Cooperate with OHCHR in its endeavours to harmonize the domestic legislation with international human rights standards (Turkey);**

104.23 **Give priority to and allocate resources for implementing current national strategies, programmes and measures, with more focus on addressing the challenges and disparities in employment, education and health care, especially for vulnerable groups of women, children, migrants and the elderly (Viet Nam);**

104.24 **Continue its efforts through cooperation with civil society and combating stereotypes (Angola);**

104.25 **Continue to implement effectively the National Action Plan on the Rights of the Child (China);**

104.26 **Pay particular attention to the conditions of street children in the context of its national policy on providing adequate protection for children (Egypt);**

104.27 **Strengthen cooperation with human rights bodies, continue to cooperate with the United Nations special procedures and maintain the standing invitation to the thematic procedures mandate holders (Morocco);**

104.28 **Make stronger efforts to improve and raise the standard of gender equality in society (Nicaragua);**

104.29 **Ensure equality of women and men in accessing socioeconomic services, including property tenure, and health care and services (Thailand);**

104.30 **Continue efforts to strengthen the position of women's role in society and to create employment opportunities for rural women in the context of rural development strategy (Qatar);**

104.31 **Take necessary measures to speed up gender equality in practice, especially in access to professions, including at the highest level, to property, capital, medical services and housing (Belgium);**

104.32 **Undertake a gender revision of and amend all laws regulating property rights with a view to ensure equal land and property entitlements for women and men (Austria);**

104.33 **Take effective measures to accelerate the consolidation of property rights as an aspect of ensuring gender equality (Turkey);**

104.34 **Take steps to ensure equality between men and women; in particular, take measures to guarantee that women enjoy equal pay for work of equal value as provided by the Labour Code, such as enhancing labour inspection measures and addressing the issue of ineffective implementation of the law, increasing awareness and favouring access to justice for affected women (Canada);**

104.35 **Adopt and implement further measures in order to address the gender wage gap, improve women's access to entrepreneurship and ensure a balanced representation of women in the labour market (Italy);**

104.36 **Put forward its best efforts to ensure women's empowerment, representation and advancement, especially in the public sector (Republic of Korea);**

104.37 **Fully implement the Law on Protection from Discrimination and launch a national awareness campaign on the issue of discrimination and racism (Germany);**

104.38 **Study the possibility of strengthening the measures to fight discrimination, in order to eradicate the trend and/or the dissemination of stereotypes that lead to discrimination on the grounds of sexual orientation (Argentina);**

104.39 **Increase awareness-raising programmes and campaigns to promote tolerance and respect for cultural diversity (Malaysia);**

104.40 **In accordance with the recommendation of the People's Advocate, collect and administer accurate data and statistics regarding the blood feud phenomenon (Sweden);**

104.41 **Instruct police officers on an annual basis that any form of ill-treatment of detained persons is unacceptable and will be punished (United States);**

104.42 **Prevent all cases of torture and ill-treatment by police, law enforcement officials and in places of detention and ensure effective, independent and impartial investigations in all cases (Germany);**

104.43 **Continue to enhance programmes to protect children from all forms of violence or abuse (Philippines);**

104.44 **Continue efforts towards combating violence against women and children (Algeria);**

104.45 **Continue endeavours aimed at combating domestic violence and ensure that all reports of domestic violence are thoroughly investigated and perpetrators are brought to justice in accordance with the law (Slovakia);**

104.46 **Continue adopting and implementing robust measures to better address domestic violence, and develop programmes to assist the victims of domestic violence and programmes to assist the victims of domestic violence (Turkey);**

104.47 **Fully implement the normative framework and related policies aimed at preventing violence against women, in particular by addressing the factors which may still prevent women from filing complaints regarding episodes of violence (Italy);**

104.48 **Enhance support services for victims of domestic and gender-based violence; and take measures to raise awareness among law enforcement officials, lawyers and judges of the serious nature of domestic and gender-based violence (Australia);**

104.49 **Provide the necessary support, including adequate shelter, to all victims of domestic violence (Denmark);**

104.50 **Establish appropriate shelters and social services for victims of domestic violence, as well as a system of victim compensation and reintegration (Ireland);**

104.51 **Provide the necessary assistance to the victims of domestic violence, including through the adoption of rehabilitation and reintegration programmes (Lithuania);**

104.52 **Undertake a deep analysis of protection orders for victims of domestic violence that were broken, in order to identify the root causes and take appropriate measures to secure the safety of the victims (Hungary);**

104.53 **Organize awareness-raising campaigns at the national level, and especially in rural areas, aimed at preventing violence against children at home and in all institutions in which children are present (Croatia);**

104.54 **Fully implement the National Strategy on Gender Equality and Against Gender-Based and Domestic Violence and build up the capacity of the police force to deal with such cases, including through additional training programs to help police identify and assist survivors of domestic violence (United States of America);**

104.55 **Take action to effectively prevent and fight violence against women, particularly domestic violence (France);**

104.56 **Ensure that all reports of domestic violence are thoroughly investigated and that the perpetrators are brought to justice (Lithuania);**

104.57 **Ensure that cases of domestic violence are properly investigated and prosecuted (Slovenia);**

104.58 **Ensure that reports of domestic violence are investigated swiftly and fully, and that prosecutions are carried out with the full force of the law (United Kingdom);**

104.59 **Ensure that all complaints of domestic violence are seriously investigated, with the protection of victims and the prosecution of the perpetrators, in accordance with existing legislation, in particular through raising the awareness of police forces on such issues (Belgium);**

104.60 **Ensure effective implementation of the measures or strategies established to counter and prevent trafficking in persons, including by intensifying efforts to prosecute perpetrators and providing adequate protection to trafficking victims, especially women and children (Philippines);**

104.61 **Intensify efforts to effectively implement the measures adopted to combat trafficking in human beings, in particular in terms of victim protection (Poland);**

104.62 **Continue strengthening its efforts to combat trafficking in persons, including through regional and international cooperation (Egypt);**

104.63 **Reinforce measures to protect victims of trafficking, with due regard to the special situation of child victims, regardless of whether they have agreed to participate in judicial proceedings (Croatia);**

104.64. **Consider improving assistance, including medical and social services, and shelter for trafficking victims, particularly women and children (Thailand);**

104.65 **Take further measures to address the issue of violence against children, including trafficking and sexual abuse (Portugal);**

104.66 **Take the necessary measures to effectively eliminate the worst forms of child labour (United States of America);**

104.67 **Take measures to strengthen the monitoring mechanisms to combat child labour and the economic exploitation of minors (Mexico);**

104.68 **Strengthen efforts aimed at protecting the rights of children in need, children who are victims of labour exploitation and children vulnerable to exploitation and violence (Qatar);**

104.69 **Strengthen its measures on the elimination of the economic exploitation of children, especially those coming from poor and socially marginalized families (Malaysia);**

104.70 **Increase efforts to ensure the independence and transparency of the judiciary (Estonia);**

104.71 **Intensify efforts to enhance the independence, efficiency and accountability of the judiciary (Australia);**

104.72 **Guarantee the protection of fundamental human rights and freedoms of its citizens by guaranteeing the independence of the judicial bodies, impartiality in decision-making, respecting defendants' right to fair trial,**

ensuring access to free legal aid and restoring citizens' trust in the justice system by fighting impunity (Netherlands);

104.73 **Take measures to ensure the independence of the judiciary, in particular by prosecuting and punishing with severe sanctions those responsible for acts undermining the independence or impartiality of judicial proceedings (Belgium);**

104.74 **Improve facilities in places of detention for people with physical disabilities and improve access to adequate care for prisoners with mental health issues (United Kingdom);**

104.75 **Effectively fight against torture and ill-treatment, especially in places of detention, ensuring that these acts are the subject of independent investigations and appropriate legal prosecutions, and that the use of preventive detention is exceptional and strictly regulated (France);**

104.76 **Enforce the provisions of the "Law on legal aid" and ensure that practical procedures to obtain free legal aid are enabling applicants to fully enjoy their rights of access to justice (Republic of Moldova);**

104.77 **Eliminate or reduce the fees for litigation so that defendants are able to obtain their rights within the law (Saudi Arabia);**

104.78 **Ensure that any reform of the juvenile justice system explicitly takes into account the differentiated needs of girls and boys (Austria);**

104.79 **Continue its efforts to ensure the implementation of the principle of the best interest of the child in the juvenile justice system, including by considering incorporating the restorative justice principle (Indonesia);**

104.80 **Take all the necessary measures to improve the effectiveness and transparency of efforts aimed at combating corruption, in particular by intensifying its efforts to diligently and rapidly respond to the recommendations and questions of the national ombudsman (Belgium);**

104.81 **Continue strengthening the institutional and administrative capacities of the civil service while expanding the action against corruption, especially in the health-care, education and judiciary sectors (Italy);**

104.82 **Continue to provide, in accordance with its obligations under international human rights law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);**

104.83 **Ensure greater transparency and broader public access to government information and official documents (Czech Republic);**

104.84 **Continue ensuring that impartial and effective investigations of attacks against journalists take place and that those responsible are brought to justice (Lithuania);**

104.85 **Take measures to promote a safe and enabling environment for journalists to perform their work independently and without undue interference (Lithuania);**

104.86 **Raise awareness of children's right to participation in the family and community (Slovenia);**

104.87 **Integrate specialized and holistic rehabilitation services into the public health system (Denmark);**

104.88 **Strengthen its human rights education at the national level and through the school system (Republic of Korea);**

104.89 **Continue implementing programmes to realize the right to education for all, including by increasing budget allocation for education and training programmes for all children in the country (Indonesia);**

104.90 **Continue strengthening the social protection programmes developed in conformity with the Convention on the Rights of Persons with Disabilities (Venezuela (Bolivarian Republic of));**

104.91 **Take measures aimed at achieving inclusive education for persons with disabilities, mainly children with disabilities (Argentina);**

104.92 **Step up its efforts in the promotion and protection of the rights of persons with disabilities in accordance with its obligation under the Convention on the Rights of Persons with Disabilities, including on the education of children with disabilities (Malaysia);**

104.93 **Formulate and implement a plan for the integration of people with disabilities into mainstream society (Maldives);**

104.94 **Continue to communicate with international human rights mechanisms in order to continue its efforts to raise awareness about disabled persons (Saudi Arabia);**

104.95 **Intensify the dialogue with persons belonging to national minorities on the opportunities for the teaching of and in minority languages and, where appropriate, take the necessary steps to address any shortcomings (Hungary);**

104.96 **Expand possibilities for the education of minorities, including learning minority languages, promoting identities and supporting minority cultures (Serbia);**

104.97 **While finalizing the new law on administrative and territorial division, take into full account the European Charter of Local Self-Government of the Council of Europe and article 108, paragraph 2, of the Albanian Constitution (the former Yugoslav Republic of Macedonia);**

104.98 **Continue making efforts to integrate the rights of the minorities present in the country in its public policies and legislation (Nicaragua);**

104.99 **Consider adopting comprehensive legislation on national minorities that would address, inter alia, the legal criteria for recognition as a national minority, the institutional framework for addressing minority issues and structuring the dialogue with representatives of national minorities (Serbia);**

104.100 **Continue the implementation of the national strategy regarding the Roma and the National Action Plan relating to the decade for the inclusion of the Roma (Democratic Republic of the Congo);**

104.101 **Step up efforts to implement effectively the National Strategy and Action Plan for the Decade of Roma Inclusion with a view to improving the living conditions of the Roma community and, if necessary, to adopt measures to improve the education of Roma children (Slovakia);**

104.102 **Further strengthen the education measures and policies for the inclusion of Roma students in the education system, and intensify the literacy campaigns for its population (Venezuela (Bolivarian Republic of));**

104.103 **Strengthen efforts to improve access to housing, health services, education and employment for both the Roma and Egyptian communities (Australia);**

104.104 **Ensure the development of a human rights-based migration policy which guarantees respect of the rights of all migrants (France);**

104.105 **Take steps to improve the situation of asylum seekers and refugees through, inter alia, discontinuing the practice of detention of unaccompanied children, providing identification documents for refugees and ensuring their access to social assistance, implementing integration and housing programmes, as well as refraining from detaining asylum seekers, except as a last resort (Sierra Leone).**

105. **The following recommendations enjoy the support of Albania, which considers that they are in the process of implementation:**

105.1 **Continue its efforts to bring national legislation into conformity with international human rights norms (Morocco);**

105.2 **Improve the legal framework in the field of human rights, especially the rights of the child, women's rights, the rights of persons with disabilities and the rights of minorities (Morocco);**

105.3 **Take further measures for the improvement of the legal framework in the field of human rights, particularly in the areas of children, women and persons with disabilities (Afghanistan);**

105.4 **Further improve national institutions and human rights infrastructure, including the harmonization of domestic legislation and the legal system with the international and European Union instruments on persons with disabilities, the rights of the child, the prevention of domestic violence and trafficking in persons (Viet Nam);**

105.5 **Continue to take steps aimed at strengthening the protection of children's rights, such as further improving the access of children affected by social exclusion, including Roma children, to education and health-care services (Czech Republic);**

105.6 **Promote and strengthen child protection mechanisms, especially in rural areas, and ensure equal access to education for all children, with a particular focus on children from marginalized groups and minorities (Germany);**

105.7 **Continue taking the necessary measures of accountability to ensure full compliance in all sectors with the national legislation in the field of gender rights and equality (Uruguay);**

105.8 **Further increase concrete measures in the framework of the 2011-2015 Strategy and Action Plan for the promotion and protection of gender equality and women's rights (Venezuela (Bolivarian Republic of));**

105.9 **Fully implement without further delay the provisions of the national action plan on gender equality and domestic violence (Austria);**

105.10 **Continue to implement effectively the National Strategy for Gender Equality, Reduction of Gender-Based Violence and Domestic Violence (China);**

105.11 **Increase efforts to tackle domestic violence, gender stereotypes and discrimination on that ground (the former Yugoslav Republic of Macedonia);**

105.12 **Strengthen the fight against discrimination affecting the Roma minority in access to housing, employment, education, social services and participation in public life (Spain);**

105.13 **Intensify efforts in the fight against all forms of discrimination, in particular against lesbian, gay, bisexual, transgender and intersex persons and minorities, by fully implementing the Law on Protection against Discrimination (France);**

105.14 **Continue to take steps to fully implement the Law on Protection from Discrimination in relation to discrimination based on sexual orientation and gender identity (Portugal);**

105.15 **Strengthen efforts and remain vigilant on the issue of blood feuds (Turkey);**

105.16 **Take effective measures to combat cases of blood feuds and follow up those measures (Saudi Arabia);**

105.17 **Ensure the full application of the prohibition of torture and ill treatment (Tunisia);**

105.18 **Ensure the strict implementation of the prohibition of torture and ill-treatment, especially in pretrial detention, and improve the conditions of detention in conformity with the international standards (Costa Rica);**

105.19 **Create a national strategy related to combating domestic violence against women and children (Russian Federation);**

105.20 **Promote a comprehensive policy of sensitization to the fight against domestic violence (Nicaragua);**

105.21 **Provide necessary legal protection and practical assistance for victims of violence against women (Poland);**

105.22 **Ensure adequate training of police in order to increase their capability to deal with domestic violence cases, and take further steps to raise public awareness of domestic violence as a criminal offence (Czech Republic);**

105.23 **Strengthen the legislation and the national action plan to fight trafficking in persons, in order to end the sexual exploitation of children (France);**

105.24 **Take further measures to effectively combat trafficking in human beings, especially with regard to vulnerable groups such as women and children (Slovenia);**

105.25 **Continue efforts to combat human trafficking (Lithuania);**

105.26 **Implement the normative framework in order to ensure protection of the victims of trafficking (Lithuania);**

105.27 **Ensure early identification of victims of trafficking and provide adequate medical, legal and social assistance, including shelter (Republic of Moldova);**

105.28 **Reform the penitentiary system with a view to ensuring humane conditions in detention, in line with the international standards (Russian Federation);**

105.29 **Prevent more effectively racially motivated or xenophobic offences, investigate those cases and prosecute the perpetrators (Tunisia);**

105.30 Prevent effectively infractions with a racist or xenophobic motivation, conduct investigations and bring the perpetrators to justice (Togo);

105.31 Adopt legislation on the restitution of the properties confiscated during the communist period (Romania);

105.32 Increase the number of women in political and public life in both national and local government bodies and address gender stereotypes that perpetrate discrimination against women (Rwanda),

105.33 That the Parliament, the Government and all political parties take concrete steps to create a more enabling environment for Albanian women to advance in political and public positions (Sweden);

105.34 Take effective measures to reduce the high dropout rate in primary schools, in particular with regard to Roma children (Slovenia);

105.35 Take measures to effectively address the high dropout rates from school, especially of girls in primary education (Portugal);

105.36 Conduct outreach programmes in rural areas in order to ensure that women with disabilities are not discriminated against or socially excluded (Maldives);

105.37 Continue to raise awareness of the needs of the Roma population, in particular children, and establish an adequate system that provides for their social and educational inclusion (Austria).

106. The following recommendations will be examined by Albania, which will provide responses in due time, but no later than the twenty-seventh session of the Human Rights Council, in September 2014:

106.1 Review national legislation to ensure that all persons under 18 have the protections accorded by the Convention on the Rights of the Child, including clarifying the definition of the child (Costa Rica);

106.2 Strengthen monitoring mechanisms which address incidents of forced child labour and further combat the trafficking of children (Sierra Leone);

106.3 Take the necessary measures and adopt the laws that are needed to allow better protection of children's rights (Switzerland);

106.4 Continue strengthening measures which favour full gender equality, paying special attention to the integration of women into the labour market without discrimination, in line with the measures established in the 2013 European Union Progress Report (Spain);

106.5 Develop programmes and policies that foster norms and attitudes of zero tolerance for harmful and discriminatory attitudes towards gender, including the preference for sons, which can result in harmful and unethical practices such as prenatal sex selection (Netherlands);

106.6 Ensure strict implementation of its new legislation on discrimination, as well as adopt new provisions prohibiting also discrimination based on nationality (Switzerland);

106.7 End the discriminations against the Roma and Egyptian communities, and grant minority status to the Egyptian community (Switzerland);

106.8 **Devote primary attention to the protection of the children involved in episodes of blood feud, so as to ensure the full protection and enjoyment of their rights (Italy);**

106.9 **Given the deep-rooted traditions of the Albanian society, adopt an appropriate regulation relating to acts of vendetta/blood feud in the family and ensure that the perpetrators of such crimes are punished (Congo);**

106.10 **Implement more efficiently the existing laws which prohibit the corporal punishment of children (Spain);**

106.11 **Continue with efforts to combat violence against women and take additional measures to reduce violence by addressing the reasons for the withdrawal of many protection order petitions in cases of domestic violence, and ensuring that all reports of domestic violence are thoroughly investigated and that the perpetrators are brought to justice in accordance with the law (Canada);**

106.12 **Further reinforce its legislation to combat internal and cross-border trafficking in persons, by revising the Criminal Code to adequately sanction the perpetrators of trafficking and exploitation of the victims of trafficking (Ireland);**

106.13 **Strengthen the legislation to fight trafficking in persons, especially women and children, ensuring the due punishment of the perpetrators of such crimes and the provision of legal and psychological assistance to victims (Mexico);**

106.14 **Reinforce national legislation and policies to combat human trafficking, in particular sex trafficking, and child labour exploitation (Brazil);**

106.15 **Amend the Criminal Code in order to for it to contain a specific provision stating that a child victim of prostitution should not be prosecuted and criminalizing the offences of offering, obtaining and providing a child for prostitution (Brazil);**

106.16 **Take measures to ensure effective guarantee of due process and access to a lawyer in cases of arrest by investigating and preventing any incidents of arbitrary detention and allegations of abuse of authority, including any allegations of corruption among law enforcement personnel (Canada);**

106.17 **Strengthen the programmes developed to promote employment, food provision and social assistance in favour of national minorities and other vulnerable sectors of the population, in the fight against poverty and social inequality (Venezuela (Bolivarian Republic of));**

106.18 **Guarantee the rights of minorities, elaborate and implement a legal and regulatory framework for the respect and protection of vulnerable populations (Congo);**

106.19 **Include in the future census a question on national ethnicity (Serbia);**

106.20 **Consider alternative ways to ensure that members of national and/or ethno-linguistic minorities can officially uphold their identity, thus safeguarding the respect of their relevant rights (Greece);**

106.21 **Abolish any possible legal grounds for differentiated treatment between national and ethno-linguistic minorities and ensure equal access in practice to rights for persons belonging to all minorities throughout Albania,**

especially the right of education in and teaching of the minority languages (Romania);

106.22 **Adopt a law for the protection of national minorities, in particular in the area of ensuring teaching of and instruction in their mother tongue (Russian Federation);**

106.23 **Implement the measures contained in the resolution recently adopted by the Committee of Ministers of the Council of Europe on the implementation by Albania of the Framework Convention for the Protection of National Minorities, in particular those relating to the right of self-identification of minorities in the census processes and creating conditions for education in minority languages, including Macedonian, on the entire territory of the State (the former Yugoslav Republic of Macedonia).**

107. **All the conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Albania was headed by Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office and other International Organizations at Geneva, Filloreta Kodra and composed of the following members:

- Mrs. Brunilda Minarolli (Peci), Ministry of Foreign Affairs;
- Mrs. Migena Baholli, Ministry of Foreign Affairs;
- Mrs. Kaliro Martiko, the Office of the Commissioner for the Protection from Discrimination;
- Mrs. Ina Verzivolli, Ministry of Social Welfare and Youth;
- Mrs. Etleva Sheshi, Ministry of Social Welfare and Youth;
- Mrs. Blerta Doci, General Directorate of Prisons;
- Mrs. Klodiana Tane, Ministry of Education and Sport;
- Mr. Harilla Goga, Minister Counsellor, Permanent Mission of Albania to UNOG;
- Mr. Fatjon Demneri, First Secretary, Permanent Mission of Albania to UNOG;
- Mr. Redi Voshtina, Ministry of Interior Affairs.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Albania

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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1. According the paragraph 106 of the Draft Report of Working Group on UPR, after the examination of the recommendations contained in this paragraph Albania submits it views and provides responses on these recommendations.

2. The following recommendations enjoy the support of Albania which considers that most of the accepted recommendations are in the process of implementation, while the recommendations 106.7, 106.21 are partially accepted and the recommendation 106.22 is noted.

106.1 Accepted/in process of implementation

3. The domestic legislation protects and guarantees that all persons under 18 have the protections accorded by the Convention on the Rights of the Child (CRC).

4. The Albanian Constitution guarantee the rights of the child and in this context the state through its legal initiatives ensures fulfilling of the needs of child welfare, upbringing, education, employment, its intellectual development. The state has the obligation to ensure mitigation procedures for children during the trial proceedings, and to ensure the protection of children from all forms of abuse, violence, abuse, exploitation and use for work, especially under the minimum age for child labour.

5. The definition of the child is clearly defined in the domestic legislation, namely on the law "On the rights of the child", in accordance with the CRC, as well providing the protection of the children. According to this law "child" refers to any individual born alive, until 18 years of age. In case the age of the person is not fully determined, but there are reasons to presume that the person is a child, the person is considered a child and benefits from this law until his age is fully determined.

106.2, 106.14 Accepted/in process of implementation

6. The Criminal Code provides as offence "the maltreatment of minors", namely "compulsion, exploitation, push or use of minors to work, to provide income, to beg or commit acts that harm their mental, physical development, education, as well as aggravating circumstances and appropriate sanctions.

7. The "Labour Code", provides the ban of the recruitment of minors under the age of 16. An exception applies to the cases when minors from the age of 14 to 16 are employed only during the school holidays in light jobs that do not harm their health and growing.

8. The law "On safety and health at work" provides special protection for minors at work, and their exclusion from work in difficult conditions that endanger their well-being and development.

9. Some of the worst forms of child labour are addressed in the action plan for the "protection and care for children in street situations". A task force with representatives of the institutions at central and local level, and field teams are established, to identify and manage the cases. From June 2014 an awareness campaign is being implemented for the prevention of the exploitation of child labour. Measures are foreseen to strengthen the inspection of child labour, the worst forms of labour the conditions of the work in particular sectors.

106.3 Accepted/in process of implementation

10. The law ""On the protection of the rights of the child" guarantee the protection of their rights. To strengthen the child protection system, is foreseen the review of the existing legal framework and the policies, the analysis and evaluation of this system for identifying the achievements, problems, the proper functioning of a multi-sector system and strengthening of cooperation between different actors.

11. The labour protocol on the child protection system which provides procedures for handling cases of children in danger is adopted, including various actors (teachers, police officers, health workers), as well as actors on local level.

106.4 accepted, in process of implementation

12. Strengthening of the measures on gender equality are focused on the integration of women into the labour market, in particular for women from vulnerable groups, through the implementation of the National Strategy on Gender Equality, Reduction of Gender-Based Violence and Domestic Violence 2011-2015 and the National Strategy for Employment 2014-2020, namely:

- Promoting equal work opportunities through effective policies in the labour market;
- Increasing the number of males and females by providing quality education and vocational training programs;
- Increasing their participation in vocational training, especially for women and their employment.

106.5 Accepted/in process of implementation

13. The National Strategy on Gender Equality, 2011-2015 and its Action Plan, provides: strengthening the legal and institutional mechanism; increasing participation of women in decision-making; economic empowerment of women and girls; reducing gender-based violence. Financial costs and funding sources are defined already for its implementation. These policies will address the needs of vulnerable groups of women, in disadvantage situations related to their disabilities, social and ethnic origin or sexual orientation. Awareness programs and campaigns are developing on the elimination of gender discrimination.

14. The 3-year strategy, on the education on prenatal sex selection, which will be implemented in the 2nd half of the year 2014, provides:

- Awareness campaigns, educational activities on prenatal sex selection and its long-term consequences;
- models and approaches to influence gender norms and practices within families and society;
- training of professionals related to selective abortion, and the disruption of birth ratio;
- strengthening the cooperation with civil society organizations;
- improvement of data monitoring system for the registration of births in health institutions.

106.6 Partially accepted

15. The first part of this recommendation is accepted and is being implemented regarding the effective implementation of the legislation on discriminations.

16. The second part of this recommendation regarding the adoption of new provisions prohibiting discrimination based of nationality is not accepted and we provide the following information: The law "On protection from discrimination" contains an open-ended (non-exhaustive) list of discriminatory grounds, including the term "any other ground". In this context the nationality is provided as another ground for non-discrimination.

17. The Albanian legislation on discriminations ensure effective protection from discrimination and from any form of conduct that encourages discrimination. The number of *ex-officio* investigations and the number of decisions on discrimination issued by Commissioner for Protection against Discrimination (CPD) is increased, and the court has started the implementation of the law.

106.7 Partially accepted

18. The first part of recommendation is accepted regarding the discriminations against the Roma and Egyptian communities. The National Strategy on Roma minority and the National Action Plan of the Roma Inclusion Decade", provides measures regarding: education, health, social protection, social benefits, programs encouraging employment of the Roma, the vocational training, community services for Roma children, the integration of Roma street children, measures to prevent and combat trafficking, protection from violence, the economic aid program, social care services.

19. The second part of this recommendation regarding the minority status of "Egyptian community" is not accepted and we provide the following information.

20. The current attitude is that the "Egyptian community" is not recognized as a national or ethno-linguistic minority, based on objective and subjective criteria for the recognition of national minorities.

21. The issue of the minority status recognition of the "Egyptian community" will be considered and addressed by the Albanian authorities, in accordance with the international instruments for the protection of minorities, the Albanian legislation and the recommendations of international organizations.

106.8, 106.9 Accepted/in process of implementation

22. Amendments of Criminal Code in 2013 provide as criminal offences: "killing for revenge or blood feud", "serious threat of revenge or blood feud", "instigation for revenge" and the penal sanctions.

23. Recently was revised the Action Plan "On the prevention, detection, registering and combating criminal activities and the offences of murder for blood feud and revenge" in order to fight the blood feud phenomenon. A Special Unit for preventing and combating the criminal activity of murder for revenge and blood feud is established.

24. The education of children confined for revenge motives is guaranteed by the law "On Pre-University Education" and the Instruction "On the procedures for the education of isolated children". At local level, Regional Education Directorates and school departments cooperate with the local institutions to identify the isolated children and providing education and psycho- social services.

106.10 Accepted/in process of implementation

25. The corporal punishment is not provided in the Criminal Code as a special provision, because actions related to it are provided as separate offences as: harassment, beating, insulting, torture, violence, maltreatment against children constitutes aggravating circumstances.

26. The law "On Protection of the Rights of the Child" guarantees the protection of children from corporal punishment, torture, humiliating and degrading treatment, violence, in any places, including schools, residential institutions, penitentiary institutions. According to the Law "On measures against violence in domestic relations", in the cases when any form of violence against children in family relationships is exercised, an emergency

protective order is requested and the court orders the immediate protection of the child, based on the best interests of the minor.

27. Activities for raising the public and parental awareness are provided to avoid this phenomenon, and violence against children. The reform of social services will consolidate practices that support the families and develop services for parents.

106.11 Accepted/in process of implementation

28. According to the law "On measures against violence in family relations", the Police, the Prosecution Office have the right to demand a protection order of immediate protection for minors and sets the minimal deadline of 24 hours, for its issuance.

29. Amendments to the Criminal Code in 2013 provide the domestic violence as specific criminal offence. Committing the criminal offence during or after the issuance of court protection orders against domestic violence, is included in aggravated circumstance, which affects the severity of the penalty given to the perpetrator of the exerted violence.

30. The law "On legal assistance", provides the right to obtain legal assistance even for the victims of domestic violence.

31. Measures are foreseen for the implementation of the objectives and activities of National Strategy for Gender Equality, 2011-2015 and its Action Plan.

32. National Referral Mechanism of domestic violence which operates in 24 municipalities of the country aims at the multidisciplinary treatment of domestic violence.

33. During year 2014, it is envisaged the approval of amendments to the law "On legal aid", to increase transparency, efficiency, and to resolve the problems encountered during its implementation.

106.2, 106.12, 106.13, 106.14 Accepted/in process of implementation

34. Amendments to Criminal Code in 2013, provided the solution to the issue of internal trafficking. Other provisions are included related to: non-punishment of victims of trafficking, punishment of those who benefit from the services of victims of trafficking, punishment of actions that facilitate the trafficking, provisions on prostitution exploitation in aggravating circumstances, reduction of sentences for justice collaborators and victims of trafficking.

35. Based on the law "On social assistance and services", victims of trafficking apart from the social services provided during their accommodation in shelters and re-integration centres benefit an economic aid after they come out from these centres until they are employed. Financial funds are provided for the economic assistance to victims of trafficking.

36. The National Action Plan to Combat Trafficking of Human Beings "and Action Plan for the Fight against Child Trafficking and Child Protection, Victims of Trafficking", provides measures against trafficking of persons and children. The National Referral Mechanism for victims/potential victims of trafficking is established and the Standard Operating Procedures for the Identification and Referral of Victims / Potential Victims of Trafficking" are adopted.

106.15 Accepted/in process of implementation

37. Amendments to the Criminal Code in 2013 provide child protection from prostitution and specifically exploitation of juvenile prostitution, as well as severing of criminal sanctions against perpetrators of this crime.

106.16 Accepted/in process of implementation

38. The legislation guarantees the rights of persons arrested/convicted, including the right to have a lawyer and fair legal process.

39. During this period, measures were adopted to increase the efficiency of the investigative activity of the anti-corruption structures and the increase of criminal proceedings. Mechanisms for investigating the cases of corruption in the structures of the State Police have improved.

40. In April 2014, amendments have been approved to the Law "On the rights and treatment of prisoners and detainees." The Medium-Term Strategy for the Penitentiary System and its Action Plan has been designed, and its implementation will start in July 2014. This strategy provides a transparent, accountable and efficient system, the strengthening of the fight against corruption. In June 2014, was adopted a Medium Term Action Plan for the implementation of the recommendations related to system of prison, provided during the review of Albania in April 2014.

106.17 Accepted

106.18, 106.20, 106.23 Accepted

41. Albania bases the minority recognition process on the historical tradition, as well as the criteria set by international conventions such as the objective criteria related to ethnic, cultural, religious, linguistic characteristics, from the rest of the population of this group, and the criterion that implies personal choice. The Greek, Macedonian and Serbian-Montenegrin minorities are recognized as national minorities, and Roma and Aromanian/Vllah as ethno-linguistic minorities.

42. Albanian constitution and the legislation guarantees the right of persons belonging to minorities to freely express, their ethnic, cultural, religious and linguistic affiliation, as well the right to education in their mother tongue and to preserve their national, cultural, religious identity.

43. Albanian institutions are committed to implement the recommendations contained in the resolution of the Committee of Ministers of the Council of Europe (adopted in February 2014). In the *road map* (adopted in May 2014) on the fulfilment of the five priorities of the European Commission are foreseen measures for the protection of minorities. In this framework a Working Group is established with representatives of central institutions and independent institutions in order to evaluate the existing legal and policy framework for the protection of minorities and to present proposals related the improvement of legal framework and policies for minorities.

106.19. Accepted

44. The form of the census conducted in 2011 included also an optional question on ethnicity, in accordance with the principle of self-declaration. This question offered the option to indicate one ethnic group or to declare the preference to not answer. According to census data, the percentage of persons belonging to minorities is estimated 1.4% of the total population residing in the territory of Albania.

106.21. Partially accepted

45. The first part of this recommendation "abolish any possible legal grounds for differentiated treatment between national and ethno-linguistic minorities" is not accepted and we provide the following information.

46. The status of national or ethno-linguistic minorities has no negative or discriminatory effect regarding the implementation of the Framework Convention of Council of Europe (CoE) "For Protection of National Minorities" and the implementation of domestic legislation for the protection of the rights of the Greek, Macedonian and Serbian-Montenegrin minorities, recognised as national minorities, and Roma and Aromanian/Vllah recognised as ethno-linguistic minorities.

47. The second part of this recommendation is accepted regarding the implementation of the rights of persons belonging to all minorities. The law "On the Pre-University Education" guarantee the rights of persons belonging to minorities to learn and be taught in their mother tongue, to learn their history and culture.

106.22. Noted

48. In order to evaluate the existing legal and policy framework for the respect and protection of minorities. a Working Group (by the Order of the Prime Minister), has been set up with representatives of central institutions and independent institutions and other relevant stakeholders, In line with the recommendations of the Resolution of the Committee of Ministers and the Opinion of the Advisory Committee of the Framework Convention for the Protection of National Minorities of the CoE and the conclusions as results of the broad consultation process, Albanian institutions will make the necessary legal proposals for the improvement and the implementation of existing legal framework and regarding the adoption of a comprehensive legislation.